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Deadline for Questions: August 21, 2015, 5:00 PM (EST)  
Clarifications Issued: August 28, 2015  
Closing Date: September 24, 2015, 5:00 PM (EST)

Subject: Notice of Funding Opportunity Number: SOL -OAA-15-000145

Program Title: Global Labor Program

Ladies/Gentlemen:

Pursuant to the Foreign Assistance Act of 1961, as amended (FAA), the United States Agency for International Development (USAID) is seeking applications from all eligible organizations for a program that can demonstrate clear, measurable and meaningful medium-term results and progress toward long-term impact to increase the capacity of labor organizations, including trade unions and civil society organizations, to promote workers' representation in policy processes, improve access to justice, advance the effective worldwide application of core international labor standards, and improve the welfare and livelihood opportunities of workers and their families and communities. Please refer to Section A.2, Program Description for the detailed program description.

The Global Labor Program supports USAID's Democracy, Human Rights and Governance strategy, USAID goals, and U.S. policy priorities. USAID has a strong tradition of supporting international labor programs designed to foster democratic development and inclusive economic growth around the world. As demonstrated through previous USAID experience, promoting labor rights and strengthening workers' organizations can be vital to promoting effective democracies and sustainable development. Worker organizations and other groups acting on behalf of worker interests have historically given voice to disenfranchised and vulnerable groups – the very ones often excluded from the political system by other institutions. Women, in particular, have benefitted from having their own representative voice. The Global Labor Program also addresses USAID priorities to counter trafficking in persons and promote development gains for migrants. There are over 230 million migrants in the world, nearly all of whom are in or will enter labor markets. The new program enables a comprehensive approach to migrant labor rights that includes civil society groups and workers themselves.

Subject to the availability of funds an award will be made to that responsible applicant(s) whose application(s) best meets the objectives of this funding opportunity and the selection criteria contained herein. While one award is anticipated as a result of this notice of funding opportunity (NFO), USAID reserves the right to fund any or none of the applications submitted.

For the purposes of this NFO the term "Grant" is synonymous with "Cooperative Agreement"; "Grantee" is synonymous with "Recipient"; and "Grant Officer" is synonymous with "Agreement Officer". Eligible organizations interested in submitting an application are encouraged to read this funding opportunity thoroughly to understand the type of program sought, application submission requirements and evaluation process.

To be eligible for award, the applicant must provide all information as required in this NFO and meet eligibility standards in Section C of this NFO. This funding opportunity is posted on [www.grants.gov](http://www.grants.gov), and may be amended as necessary. Potential applicants should regularly check the website to ensure they have the latest information pertaining to this NFO. Applicants will need to have available or download Adobe program to their computers in order to view and save the Adobe forms properly. It is the responsibility of the applicants to ensure that the entire NFO has been received from the internet in its entirety and USAID bears no responsibility for data errors resulting from transmission or conversion process. If you have difficulty registering on [www.grants.gov](http://www.grants.gov) or accessing the NFO, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via email at [support@grants.gov](mailto:support@grants.gov) for technical assistance.

The successful Applicant will be responsible for ensuring the achievement of the program objectives. Please read each section of the NFO.

Please send any questions to the point(s) of contact identified in Section D by the deadline shown at the top of this cover letter. Responses to questions received prior to the deadline will be furnished to all potential applicants through an amendment to this notice posted to [www.grants.gov](http://www.grants.gov).

Issuance of this notice of funding opportunity does not constitute an award commitment on the part of the U.S. Government nor does it commit the U.S. Government to pay for any costs incurred in preparation or submission of comments/suggestions or an application. Applications are submitted at the risk of the applicant. All preparation and submission costs are at the applicant's expense.

Thank you for your interest in USAID programs.

Sincerely,

/s/

Mir Ershadullah  
Agreement Officer

## TABLE OF CONTENTS

Section A – Funding Opportunity Description.....	4
Section B – Federal Award Information.....	25
Section C – Eligibility Information.....	27
Section D – Application and Submission Information.....	31
Section E – Application Review Information.....	45
Section F – Award and Administration Information.....	50
Section G – Agency Contacts.....	55
Section H – Other Information.....	56

## SECTION A: FUNDING OPPORTUNITY DESCRIPTION

### A.1 INTRODUCTION

#### a. Authority

Pursuant to the Foreign Assistance Act of 1961, as amended (FAA), the United States Government (USG), as represented by the U.S. Agency for International Development (USAID), Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA) is seeking to support or stimulate the activities described below, and requests applications from eligible organizations to provide technical assistance and support the Global Labor Program .

#### b. Administration of Award Resulting from this NFO

The prime award and subsequent sub-awards resulting from this NFO will be administered in accordance with the following:

- Code of Federal Regulations, 2 CFR 700
- Chapter 303 of USAID's Automated Directives System ([ADS 303](#)).
- Office of Management and Budget's Grants Management Circular, [OMB Circular A-133](#).
- USAID Mandatory and Required-as-Applicable Standard Provisions for US Organizations and non-U.S. Non-Governmental Organizations found in [ADS 303](#).

Geographic data will be submitted to USAID in accordance with the following:

- Office of Management and Budget (OMB) Circular A-16, Executive Order 12906;
- Automated Directives System (ADS) 507 (Freedom of Information Act);
- Automated Directives System (ADS) 557 (Public Information).

### A.2 PROGRAM DESCRIPTION

#### a. Background and Analysis

The International Labor Organization's (ILO) Declaration on Fundamental Principles and Rights at Work<sup>1</sup>, notes that economic growth, alone, is "essential but not sufficient to ensure equity, social progress and the eradication of poverty." Not only the ILO, but governments, international development banks, and multilateral donors have begun to recognize the need for a rights-based approach to development that

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<sup>1</sup>Membership in the ILO commits member states to respect and promote, but not codify, principles in the Declaration which is non-binding and is not subject to ratification by member states.

complements growth needs. The inclusion of Decent Work as a proposed goal in the post-2015 Development Goals framework indicates the extent to which economic development has come to include promoting not only employment, but rights, social protections, and social dialogue for workers.

Nevertheless, significant economic challenges threaten the development gains achieved over the past several decades, particularly regarding labor standards and labor rights. As a result of continued economic slowdown and ‘jobless’ growth, some countries, developed and developing alike, are seeing poverty levels increase, livelihood opportunities for their citizens diminish, social protection systems weaken, and the gap between rich and poor increase. With these challenges in mind, USAID recognizes that its commitment to strengthening resilient, democratic societies and ending extreme poverty must include a commitment to the promotion of both rights and opportunities for working people. This approach recognizes that promoting rights and promoting broad-based economic growth go hand in hand.

USAID has a strong tradition of supporting international labor programs designed to foster democratic development and inclusive economic growth around the world. Primary U.S. foreign assistance goals include promoting good governance, respect for human rights, a robust civil society, and sustainable and inclusive economic growth. These goals are set forth in the President’s National Security Strategy (2015) (NSS), the Foreign Assistance Act (FAA), and the Quadrennial Diplomacy and Development Review (QDDR), among others.

As demonstrated through previous USAID experience, the full, effective participation of vibrant, democratic worker organizations<sup>2</sup> and labor-related civil society organizations (labor CSOs)<sup>3</sup> can be vital to democratic societies. Independent trade unions and worker organizations and other groups acting on behalf of worker interests have historically given voice to disenfranchised and vulnerable groups, the very groups that are often excluded from the political system by other institutions. Given extreme disparities in wealth and power in many developing countries, organizations advocating for worker rights are critical vehicles for promoting interest-based competition in public policy arenas as well as ensuring that the voices of the working poor and marginalized groups are heard. Women, in particular, have benefitted from having their own representative voice. When women and youth are taken into account in decisions in the workplace and in the national arena, they gain greater control over their own livelihoods and greater voice in their households, families and communities.

Worker organizations are important actors in civil society, often serving as a catalyst for engagement on a cross-cutting range of social, civic and economic issues. As member-based organizations, they are often self-sustaining agents for constructive change. Worker organizations provide representation and, together with labor CSOs, provide advocacy and service delivery that are central to promoting good governance with peaceful civil society engagement. Increasingly, they are supporting the rights of working people outside of formal workplaces, promoting reforms in the employment environment that can lead to improvement of working conditions, the formalization of employment and the extension of social protection to the informal sector.

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<sup>2</sup> The ILO Freedom of Association and Right to Organize Convention (No. 87), which has not been ratified by the United States, defines a worker organization as an organization “of” workers “furthering and defending the interests of workers.” They include formal sector unions with the right to collectively bargain, public sector worker associations that may or may not have collective bargaining rights, and associations of self-employed workers in the informal sector.

<sup>3</sup> “Labor-related civil society organizations or “Labor CSOs” are defined as non-governmental organizations that promote and advocate for worker interests and/or deliver services to workers consistent with the internationally recognized labor standards, but which are not worker organizations.

Worker organizations and labor CSOs may also be keys to unlocking the potential to deliver rights and development gains to transnational workers. There are over 230 million migrants in the world<sup>4</sup>, nearly all of whom are in or will enter labor markets. Even though migrant workers' contributions to global financial flows are stunning (in 2014, remittances from expatriate workers were estimated to be \$436 billion up from \$132 billion in 2000), these workers are rarely the beneficiaries of any development program. They are largely invisible, restricted by law from participating in political or civic life in their countries of destination, and cut off from family, civic and community ties in their countries of origin. For many reasons, including poor opportunities at home, unscrupulous recruiters, weak labor law enforcement or gaps in labor protections, this important population faces serious human rights abuses and significant barriers to justice. Traditional approaches to migration that focus on inter-governmental cooperation are necessary, but not sufficient to address the challenges faced by migrant workers in global supply chains. A real solution demands a comprehensive approach that includes civil society groups and workers themselves.

Since 1997, USAID's Global Labor Program (GLP) has been managed by The Center of Excellence on Democracy, Human Rights and Governance, in the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA/DRG). The current GLP (2011-2016) is a five-year Leader with Associates Award at a level of \$7.5 million annually in the Leader award and, currently, one Associate award in Colombia. Leader award programs are active in nine countries: Brazil, Mexico, Honduras, Liberia, South Africa, Cambodia, Bangladesh, Ukraine and Georgia, as well as regional and sub-regional programs in Central America/Latin America, Southern Africa, South Asia/Asia, and Eastern Europe. The Leader also supports four thematic research and advocacy programs on gender, migration and trafficking, informality, and rule of law.

### **Relationship to DRG Strategy and Results Framework**

The GLP is a component of USAID's Democracy, Human Rights, and Governance (DRG) Strategy, and accordingly, is intended to contribute to strategy objectives. The DRG Strategy provides a framework "to support the establishment and consolidation of inclusive and accountable democracies to advance freedom, dignity and development," aiming to "promote peace, security, stability and prosperity." As noted in the DRG strategy, poverty is underpinned in part by "entrenched power dynamics that lead to political and economic exclusion." Civil society organizations provide channels for citizen voice. The strategy envisions two critical outcomes: greater citizen participation and inclusion; and more accountable leaders and institutions. It explicitly elevates human rights as a key USAID development objective and encourages the integration of DRG principles and practices into other development sectors.

The four development objectives (DOs) highlighted in the DRG Strategic Framework are each related to the GLP's work. The four DOs are:

- DO 1: To promote participatory, representative and inclusive political processes and government institutions.
- DO 2: To foster greater accountability of institutions and leaders to citizens and to the law.
- DO 3: To protect and promote universally recognized human rights.
- DO 4: To improve development outcomes through the integration of DRG principles and practices across USAID's development portfolio.

With respect to DO 1 (to promote participatory, representative and inclusive political processes and government institutions), USAID DRG Center promotes civil society strengthening initiatives through a variety of instruments, including the GLP. USAID also works with other US government agencies on a

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<sup>4</sup> <http://www.ilo.org/global/topics/labour-migration/lang--en/index.htm>

broader initiative, Stand with Civil Society, a multi-government effort to push back against restrictions on freedom of association and assembly worldwide. On September 23, 2014 at the Clinton Global Initiative (CGI) President Obama's remarks highlighted the pivotal role of civil society to global security, stating: "Countries that respect human rights -- including freedom of association -- happen to be our closest partners. That is not an accident." The President announced that "partnering and protecting civil society groups around the world is now a mission across the U.S. government" and issued the *Presidential Memorandum on Deepening U.S. Government Efforts to Collaborate with and Strengthen Civil Society*, which directs all US agencies operating abroad to defend and strengthen civil society abroad by: consulting regularly with civil society organizations, including worker organizations; resisting efforts by foreign governments to dictate the nature of U.S. assistance or the selection of implementers or beneficiaries; and by opposing efforts by foreign governments to impose excessive restrictions on civil society organizations, including worker organizations.

The GLP has played a significant role in protecting the rights of workers to form democratic labor unions, and more broadly to promote freedom of association for civil society organizations. For example, in both Georgia and Cambodia, the program has contributed to developing coalitions of unions and civil society organizations (CSOs) to respond to closing space for civil society.

With respect to DO 2 (to foster greater accountability of institutions and leaders to citizens and to the law), in many low-income countries, the legal enabling environment and the public institutions responsible for guaranteeing and enforcing the rights of workers are not well developed or adequately resourced. The efforts of the GLP have supported the creation of bodies that facilitate dispute resolution. For example, in Cambodia, the program has supported the work of an Arbitration Council that is recognized as one of the most legitimate and effective independent bodies within Cambodia's legal and dispute settlement systems. Stable labor relations are also an important enabler of a stable business environment; the cost of doing business is artificially increased by uncertainty in the regulatory and enforcement environment and by poor governance. Improvements in the legal enabling environment are therefore often necessary to improve the conditions and terms of employment for both business and workers in many countries.

With respect to DO 3 (to protect and promote universally recognized human rights), the GLP aims to promote fundamental labor rights worldwide. The recognition of these rights is consistent with international consensus, as represented by the ILO's soft-law instrument, the 1998 Declaration on Fundamental Principles and Rights at Work, which is of a promotional nature, with the rights themselves rooted in the earliest points of the modern human rights movement's development. Movements to end slavery (forced labor), beginning in the late 1700s, provide historical underpinnings to today's labor rights movements.

The Declaration makes it clear that these principles, as distinct from the eight core conventions that address the rights in the ILO constitution, are universal, and that they apply to all people in all states, regardless of the level of economic development. It particularly mentions groups with special needs, including the unemployed and migrant workers.

The GLP has addressed the challenges to global labor in several ways, including by supporting efforts to strengthen human rights frameworks, institutions and oversight. For example, under the most recent five-year program, migrant domestic workers were enabled to form transnational networks to advocate for new normative frameworks to protect their rights. Through the program, these workers were able to participate in a global campaign for the adoption of a new ILO Convention to protect the rights of domestic workers, and have worked to promote ratification of this Convention in several countries. It has not been ratified by the United States. The program has also supported the engagement of anti-trafficking

advocates in work to develop a new ILO Protocol and Recommendation on forced labor. Adopted in 2014, this instrument provides new guidance to governments and stakeholders seeking to address all forms of forced labor and trafficking in the modern global economy

The GLP responds fully to the call in DRG Strategy's DO 4 to improve development outcomes through the integration of DRG principles and practices across USAID's development portfolio. Labor, as an issue, is inherently cross-cutting. A sound world of work, with a fully employed, productive and healthy workforce is essential to sustainable economic growth, development and stability in every region, in every nation and in every household. Without attention to labor and employment, development policies will not be able to achieve the goal of promoting sustainable economic growth, security and stability in countries of strategic importance to the United States. USAID has developed a suite of toolkits and reports that provide guidance for an integrated approach to labor programming.<sup>5</sup>

In reaching across the DRG Strategy DO's, the GLP work intersects with other thematic work in the DRG sector on good governance and rule of law, social inclusion, and human rights.

## **Relationship to Other USAID Programs**

***Supporting Trade Capacity Building.*** U.S. trade negotiating objectives include promotion of labor standards. U.S. trade legislation provides policy guidance on trade and labor linkage as a tool to promote equitable development. Programs intended to benefit least developed countries, such as the Africa Growth and Opportunity Act (AGOA) and the Generalized System of Preferences Act (GSP) provide developing countries, and in particular least developed countries with substantial tariff reductions on many exports to the U.S. conditioned on compliance with "internationally recognized worker rights."<sup>6</sup> These programs are premised on the concept that aid through trade will ensure that U.S. direct foreign assistance and trade benefits mutually support economies to grow in a sustainable manner.

USAID has a mandate to build labor capacity-enhancing activities into its overall trade capacity building. USAID's Automated Directives System (ADS) 225.3.1.4 lists several examples of Permitted Activities for trade and investment programming. Illustrative activities which fall into this category include:

- General business education, workers' rights awareness, and/or vocational training;
- Technical assistance to ensure compliance with and enforcement of the International Labour Organization (ILO)'s core labor standards.

Support for worker organizations and labor CSOs is an important component of supporting countries' ability to meet international labor standards and while also complementing other U.S. funding for labor capacity building programs.

***Social Protection for Vulnerable Populations.*** The GLP supports USAID's mandate to end extreme poverty by fostering inclusive economic growth. Labor-related issues are of paramount importance to people with disabilities and other persons in vulnerable populations because obtaining income and evading discrimination may be a matter of survival. "Vulnerable populations" include persons in

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<sup>5</sup> [www.glasai.com](http://www.glasai.com).

<sup>6</sup>The five factor definition of "internationally recognized worker rights" from the GSP provision is as follows: (A) the right of association; (B) the right to organize and bargain collectively; (C) a prohibition on the use of any form of forced or compulsory labor; (D) a minimum age for the employment of children; and (E) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health. 19 U.S.C. § 2462 (a)(4).

profoundly unstable social and economic circumstances, including war and famine. They may also include persons in more stable societies, such as women, youth, people with disabilities and indigenous peoples.

For example, under the current GLP, part-time Afro-Colombian agricultural workers in Colombia have been able to formalize their employment status, and thus gain protection under employment laws. With support from the program, Afro-Colombian workers organized at the national level for the first time, forming a new labor council targeting sectors with large numbers of workers of African descent.

***Women’s Empowerment and Gender Equity.*** Promoting women’s economic empowerment includes the promotion of safe and equitable opportunities for women in the formal workforce. USAID’s Gender Policy<sup>7</sup> explicitly recognizes this important development goal. The policy calls for USAID programming to “reduce gender disparities in access to, control over and benefit from resources, wealth, opportunities and services- economic, political and cultural.” With respect to women’s paid employment, the policy specifically calls for the promotion of increased women’s participation in paid employment, and attention to the need to promote equal opportunities for women in formal employment. USAID’s policy paper notes that women and men tend to work in different parts of the economy with little change over time, even in higher income countries. It further notes that women are more likely than men to engage in low-productivity and labor-intensive activities. They are also more likely to be in unpaid family employment or work in the informal wage sector, in particular in agriculture.

The GLP has specifically addressed these inequities in target sectors and countries. All current country programs include training components that provide specific programs for women. For example, in Honduras, the Global Labor Program convenes a special training program for women workers of the *maquilas*, facilitating their capacity to represent other women workers and to bargain collectively. In South Africa, the program has supported focused advocacy to promote legislative and policy reforms of particular importance to women workers; program support has enabled a successful campaign to promote new maternity leave legislation, and to address violence against women in the workplace.

## **Results Framework**

To meet the challenges described above, USAID proposes a new five-year Global Labor Program (2016 – 2021) that can demonstrate clear, measurable and meaningful medium-term results and progress toward long-term impact in promoting the stated program objectives. Proposed new programming should serve USAID gender and social inclusion policies and strategies, and US trade and labor priorities, as described above. The program will represent a mix of country-based, and thematic or regional programming, as described below.

### **Project Goal:**

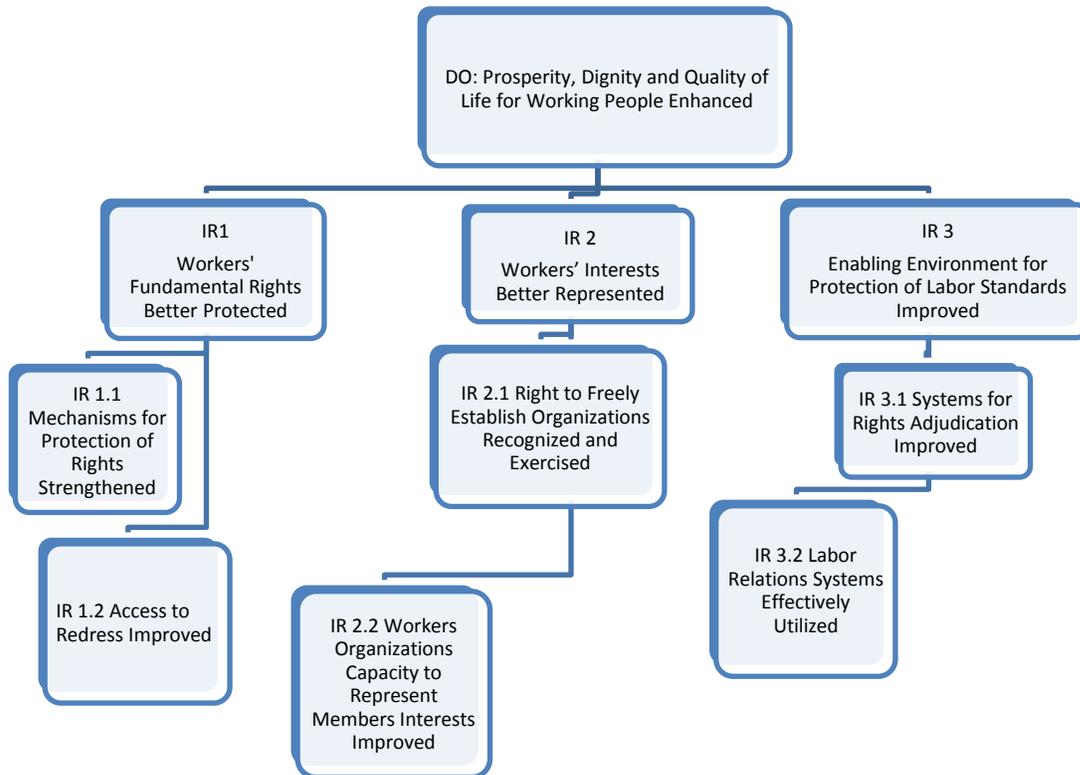
- Improved dignity, prosperity and quality of life for working people worldwide

### **Project Results:**

- Fundamental rights of workers are better protected
- Fundamental interests of workers are better represented
- Enabling environment for labor standards protection improved

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<sup>7</sup> <http://www.usaid.gov/sites/default/files/documents/1870/GenderEqualityPolicy.pdf>



The theory of change is that, if fundamental conditions and rights are in place and workers have effective means to communicate and negotiate in their own interests, their livelihoods will improve, leading to overall improved prosperity and quality of life. While the GLP focuses on demand-side strategies to promote worker rights and interests, it recognizes that effective work to reach these results should seek to strengthen the enabling environment for protection and promotion of rights and interests.

**Intermediate results** anticipated are as follows:

**Result 1:** Workers realize better respect and protection for their fundamental rights. This IR correlates with DRG Strategy DO 3, to protect and promote universally recognized human rights.

**Result 1.1:** Mechanisms for protection of labor rights strengthened.

*Potential indicators:* measurable increase in public awareness of labor rights; numbers of systemic reforms in laws, regulations, policies enacted/issued that demonstrate upward harmonization with international labor standards; increase in number of workers covered by collective bargaining agreements that provide strengthened coverage for fundamental rights, in particular for marginalized or vulnerable populations; increase in outreach, law

reform initiatives and advocacy campaigns that support the establishment of international norms.<sup>8</sup>

**Result 1.2:** Improved access to redress for worker rights violations.

*Potential indicators:* increased number of cases in which worker organization represents workers in disputes with employers and through government and/or other dispute resolution bodies; number of cases submitted to grievance, alternative dispute settlement or adjudicatory proceedings; increase in number and quality of dispute resolution bodies and processes; increase in remedies available to workers, and particularly workers from historically marginalized populations.

**Result 2:** Workers are better represented within sustainable, democratically-organized, well-managed and independent worker organizations. This result correlates to DRG Strategy DO 1, to promote participatory, representative and inclusive processes and institutions.

**Result 2.1:** Workers exercise the right to establish and join organizations of their own choosing without previous authorization, consistent with international labor standards.

*Potential indicators:* increase in organizations' membership; improved rate of member retention; increase in coalition activity with other civil society organizations; heightened ability of organizations to maintain structural integrity under conditions of increasing political constraints.

**Result 2.2:** Workers organizations demonstrate the capacity to represent their members' interests in ways that lead to improved economic security for their members.

*Potential indicators:* increase in negotiated collective agreements with measurable improvements for workers; increased number of workers covered by collective agreements that provide protection or benefits beyond the law's requirements; increase in share of women, people with disabilities and other marginalized groups in formal employment; increase in social protection coverage for informal workers; increase in number or percentage of compliance issues positively remediated as a result of worker-management dialogue.

**Result 3:** The enabling environment for effective protection of labor standards is improved. This result correlates with DRG Strategy DO 2, to foster greater accountability of institutions and leaders to citizens and to the law.

**Result 3.1** Systems for adjudication of issues relevant to worker rights and interests are improved.

*Potential indicators:* number of dispute resolution processes/ institutions established; qualitative improvement of dispute resolution process improved (rights protected, appropriate remedies & penalties, timely resolution); increased capacity of lawyers and legal advocates funded through NGOs, mediators and arbitrators to engage effectively with employers, workers, labor officials and the judiciary.

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<sup>8</sup> Illustrative examples might include advocacy to support ratification campaigns for ILO Conventions, or to support the establishment of guidance related to labor rights due diligence under the UN Guiding Principles for Business and Human Rights or within reforms to the OECD Guidelines for Multinational Enterprises.

**Result 3.2** Formal labor relations systems, and in particular tripartite<sup>9</sup> mechanisms in the policy processes of public institutions, are effectively utilized by worker organizations.

*Potential indicators:* increase in the number of fora/meetings with government and employers through which workers have meaningful collective voice; increased utilization of industrial relations mechanisms by employers and employer associations; increased access and use of formal and informal tripartite mechanisms by trade union federations, including representatives of global union federations.

## **Requirements for Country-Based, Regional and Thematic Programming**

### ***Regional and/or Sectoral Approaches:***

The Global Labor Program will support regional and transnational approaches that address the overall results framework and support demonstrable progress toward the overall program objectives. Applicants may propose specific activities that promote the objectives stated above with respect to a particular region of the world, and/or with respect to a particular economic or occupational sector. A region is defined as an economically integrated and geographically proximate set of countries that may also be politically aligned in a regional governance framework such as ASEAN (Association of Southeast Asian Nations), SADC (Southern Africa Development Community) or SAARC (South Asian Association for Regional Cooperation). An economic sector is defined as one with a discrete product and value chain (i.e. agriculture, mining, electronics). An occupational sector is defined as a set of interlinked occupations contributing to a particular overarching economic activity (i.e. health care workers, transport workers).

Regional and transnational sectoral activities should to the greatest extent possible be linked with and reinforce country-based programming. For example, a regional/sectoral activity focused on sugar workers in Central America might reinforce a country-based activity targeting sugar workers in El Salvador; regional/sectoral activities on apparel workers in Southeast Asia might reinforce country-based activities with garment workers in Cambodia. Regional, sectoral and country-based programming should also, to the greatest extent possible, reflect general strategic approaches detailed below.

USAID recognizes that employment relationships are increasingly embedded in regional and transnational investment. Thus the negotiation of terms and conditions of employment is often no simple matter, as the immediate employer may not have control over assets, but may in turn be beholden to negotiations with international buyers or investors. For example, a garment factory manager negotiating with his workers in Cambodia or Haiti may be affected by complex relationships with multiple buyers. Suppliers may have fluctuating patterns of seasonal orders, and a lack of predictability in overall profit margins. A construction firm or a line of fishing vessels may ‘employ’ thousands of workers from multiple countries of origin, but it may rely on several levels of labor brokers to supply these workers, and thus lack any direct employment relationship to workers, as the labor brokers are establishing terms and conditions of work. A farm producing fruit or vegetables for export may be a subcontractor to a global distributor, who in turn receives established prices from the supermarkets chains who are the final buyers for this produce. Thus the farm employer’s fungible resources for negotiations with workers may be limited unless the farm owner, in turn, is able to negotiate with global distributors. Thus, by supporting regional/sectoral approaches, USAID seeks to enable programming that strategically links workers across immediate employers, or even across borders to foster effective negotiation with global intermediaries.

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<sup>9</sup> Tripartism refers to formal structures for dialogue between employer, worker and government representatives for the establishment of labor policy.

The informality of work in many contexts represents another set of challenges to the traditional employer-employee model of labor relations. Working women and men in the informal economy—among them, day laborers, domestic workers, preschool teachers, sugarcane cutters, taxi drivers and call center workers—comprise the majority of the workforce in many countries. Although informal economy workers can create up to half of a country’s gross national product, most fall outside the legal framework for formal workers, and have little power to advocate for living wages and safe and secure work. Many informal workers are in scattered, individualized workplaces (such as street vendors) or are mobile (drivers in transportation sectors).

Informality is often driven by an enabling environment for business and labor that incentivizes operations outside of formal regulation. Inappropriate regulations, or uneven application of regulations, can distort the calculus of costs, risks and revenues so that businesses are simply unable to absorb the additional costs of formality and still compete in a global or regional marketplace. These conditions create common cause between workers and business owners to improve the enabling environment for formal employment. Sectoral approaches provide an opportunity for joint advocacy to achieve reforms that can benefit both workers and employers by eliminating or reducing the unnecessary costs of doing business that constrain formal employment.

Given the complex nature of work globally, the GLP will seek to support sectoral approaches to promoting workers’ rights and interests through strategic approaches or advocacy campaigns linking unions and/or CSOs with transnational stakeholders, including inter-governmental bodies, multinational companies and industry associations. The GLP will solicit activities that foster strategic targeting in multiple countries of sectors where there are common employers, or common issues that may be addressed by promoting international norms or frameworks. Strategies may include collaborating and cooperating with employers, governments and CSOs with complementary objectives<sup>10</sup> to achieve GLP program objectives with respect to specific sectors, industries, or issues. Such approaches should describe the improvements and benefits that workers in a target sector will realize as a result of the proposed activity. Activities proposed should make a case for strengthening the advocacy of regional and/or global networks, such as global union federations (GUFs) or their regional affiliates. Activities proposed should also have a demonstrated relationship with country-based programming, and ideally be housed within one or more country programs.

Given the significance of inter-governmental bodies in shaping debates related to international labor standards and supply chain accountability, global and regional program ideas may also encompass strategic advocacy to utilize existing human rights mechanisms to promote strengthened labor standards<sup>11</sup>; or targeted advocacy to improve normative frameworks for international labor standards.<sup>12</sup> In addition, worker organizations and labor NGOs may find support for their efforts in regional governmental organizations and their plans, such as the ASEAN Labor Minister’s Work Program, enhancing their impact to increase measurable results.

### ***Migration and Trafficking in Persons:***

Proposals for regional and sectoral activities must include at least one activity for the promotion of migrant labor rights in all cases where migrant labor is present in the sector or region targeted. In

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<sup>10</sup> For example, consumer organizations, environmental organizations, or ‘high road’ industry actors may be willing to support labor rights campaigns.

<sup>11</sup> e.g., utilizing the process for submissions to ILO Committee of Experts on the Application of Conventions and Recommendations, or engaging National Contact Points for the OECD Guidelines on Multinational Enterprises

<sup>12</sup> e.g., engagement with multilateral development banks on the implementation of labor safeguards; enabling advocacy at ILO on new instruments, such as new Forced Labor Recommendation and Protocol

addition, applicants should propose a comprehensive set of activities focused on migrant labor rights. There are an estimated 232 million migrants in the world, the overwhelming majority migrating for work. Even when migration is voluntary, life for such workers can be very difficult. Domestic workers migrating from Asia to the Middle East often lose the ability to communicate with their families or even their children, yet they keep working for wages they hope will enable those children to have a better life.

Even though migrant workers' contributions to global financial flows are stunning (in 2014, remittances from expatriate workers were estimated to be \$436 billion,<sup>13</sup> up from \$132 billion in 2000), these workers are almost never the beneficiaries of any development program. They are often restricted by law from participating in political or civic life in their countries of destination, and cut off from family and community ties in their countries of origin. They fall outside of human rights norms, and therefore are often victims of exploitation.

One of the most significant issues for the global economic, social and democratic development communities is addressing the conditions under which migrants travel and work. Because the economies of many countries have come to rely on the remittances of migrant workers, even as destination countries depend upon their cheap labor, governments and business interests seek to “manage” the movement of migrants. Destination countries may deny migrant workers fundamental labor rights such as freedom of association and the right to bargain collectively. In many countries, migrant workers are explicitly excluded from labor law protections. Migrant workers are especially targets of human trafficking and forced labor. Health and safety conditions for migrants in industries such as construction and seafaring are also a serious concern.

GLP will support new work to promote the extension of civil and political rights, fundamental rights at work, and access to social dialogue and social protection to migrant workers worldwide.

Illustrative activities to address migrant labor rights may include:

- Create new linkages and associations of migrant workers in targeted sectors and along focused geographic corridors;
- Address issues of regulation of labor recruitment processes and the elimination of recruitment fees; and
- Promote multilateral policy initiatives through international frameworks.<sup>14</sup>

### ***Country-Based Programs:***

USAID's approach to high-impact development seeks to “build sustainable capacity in the countries where we serve; especially, building more local capacity so that American assistance strengthens the local actors and institutions that are ultimately responsible for transforming their countries.” Accordingly, well-designed and effectively-implemented country programs that produce significant, sustainable results for local actors and institutions are a key component of USAID's new GLP. Funding provided for the Leader award shall support no less than six and no more than nine country programs. Applicants should ensure that proposals integrate regional and sectoral activities with these country programs, as well-designed country programs will also serve as a strong base for regional and transnational programming.

### ***Core Countries/Region:***

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<sup>13</sup> <http://www.worldbank.org/en/news/press-release/2014/04/11/remittances-developing-countries-deportations-migrant-workers-wb>

<sup>14</sup> e.g. Global Forum on Migration and Development

The following countries and regions will be required as *core* countries for the GLP. Core countries will be required to be addressed in any solicitations for this program. Regional activities will be required for southern Africa, as described below, and for Central America. Central America regional program activities may be based in Mexico and/or in El Salvador. Activities proposed for each core country should be consistent with the results framework above, with a particular focus on country and regional priorities, as explained below.

***Bangladesh:***

USAID has promoted labor rights in Bangladesh since 1994 and is investing increased attention and resources to promote labor rights, particularly in export sectors. Since the Rana Plaza tragedy of 2013, labor rights in Bangladesh have been further elevated as a priority for USG assistance. In March of 2014, USAID, in cooperation with the U.S. Department of Labor (DOL) and the U.S. Department of State (DOS), conducted an assessment of the garment, fish and shrimp sectors in Bangladesh.<sup>15</sup> The assessment examined current labor conditions and opportunities for future programming through meetings with government officials, labor groups and other international donors. Opportunities identified from this assessment include:

- Expanding support for worker representation by improving the capacity of worker organizations;
- Empowering women workers inside and outside factories;
- Promoting women’s leadership and addressing issues of importance to women workers; and
- Improving labor peace through training on non-violent protest methods.

Subsequently, USAID/Bangladesh issued a request for application to implement a new Workers' Empowerment Program (WEP). Proposed activities under the GLP should complement and coordinate with the activities undertaken under the WEP.

Activities proposed should be consistent both with the overall results framework for the GLP and the development objectives of USAID’s Country Development Cooperation Strategy (CDCS) for Bangladesh. The promotion of democracy and governance is an important objective of U.S. foreign policy and is critical to advancing Bangladesh’s development in each of the sectors of focus in the CDCS. Support for rule of law programs and civil society programs to strengthen the contributions of civil society to each of the CDCS development sectors are integral to the Bangladesh country strategy. Global Labor Program activities in Bangladesh should contribute to the Development Objective 1, “Citizen Confidence in Governance Institutions Increased.” Activities should address Intermediate Result 1.3: “Improved Access to Justice” and Intermediate Result 1.3.3. “Improved Protection of Civil and Human Rights.”

***Cambodia:***

USAID/Cambodia’s goal is to support Cambodia’s transition to a sustainable and lasting democracy that respects and promotes human rights, encourages civic participation that demands and results in greater democratization, and practices accountable governance. Because Cambodia is one of the world’s poorest countries, with nearly a fifth of all Cambodians continuing to live below the poverty line, USAID/Cambodia recognizes economic growth and trade objectives as necessary underpinnings for peace, stability, and good governance. The United States purchased \$2.55 billion worth of Cambodian garment and footwear exports in 2012, making it Cambodia’s largest trading partner and accounting for

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<sup>15</sup> <http://www.usaid.gov/results-and-data/information-resources/developmentexperience-clearinghouse-dec>

19.6 percent of Cambodia's GDP. To increase the stake that the Cambodian people have in their country's democratic development, USAID/Cambodia seeks to promote a better business environment with predictable systems of dispute settlement, improved livelihoods, and increased access to social protection.

USAID/Cambodia seeks to advance the promotion of human rights through civic engagement at all levels, with focus on protecting those most vulnerable to loss of rights, including labor, land and other fundamental freedoms and rights. In doing so, USAID's efforts help to ensure that activists have the security and safety net protection needed for them to continue their fight against human rights violations, whether related to land tenure, labor, corruption, or general political expression. The 2012 Civil Society Assessment for Cambodia noted that, despite constrained political space, "civil society remains vibrant" and that "one of the most promising developments in the civil society sector has been the emergence of grassroots groups and movements." While donors have supported CSOs for several decades, the new opportunity for this strategy period is to further engage youth and women and expand involvement of informal groups, such as grassroots networks and community-based groups, while linking them with urban-based CSOs to strengthen the voice for political reform.

GLP activities in Cambodia, in responding to the overall results framework of the GLP, should also contribute to the following development objectives, intermediate results and sub-IRs, as defined by Cambodia's CDCS:

DO1: Strengthened democracy and government accountability, and enhanced respect for human rights

IR 1.1: Constructive civic engagement promotes human rights

IR 1.2: Increased capability of civil society to engage in political processes

USAID/Cambodia supports the hypothesis that a more engaged and participatory citizenry will expand the demand for, and result in, greater democratization, accountable governance, and the promotion of human rights. The role of civil society and labor unions in shaping the debate over the draft NGO Law and draft Trade Union Law are evidence of this influence.

DO3: Poverty reduced in selected geographic area and targeted populations

IR 3.3: Improved economic enabling environment

USAID/Cambodia is implementing pro-poor growth strategies and policies that are inclusive of women and marginalized/ vulnerable groups. Transparent, well-informed policy-making, and public and private dialogue are examples of activities that relate to and provide linkages between both DO1 and DO3.

Due to the increased economic growth and the presence of foreign companies in Cambodia, the private sector has been pressing for strengthened rule of law, stronger anti-corruption efforts, transparency, and judicial integrity. Engaging the private sector is essential in advocating for policy change and for policy enforcement. Effective programs will leverage the power of civil society and private sector associations, similar to the advances made by organizations such as the International Labor Organization that promote workers' organizations and support their role in advocating for improvements in wages and working conditions. Effective programs will also seek to strengthen institutions that provide channels for peaceful dispute settlement, as an approach that enables better conditions for workers and employers by promoting a more stable and predictable business environment.

***Central America Regional:***

Central America is at a pivotal point. Weak governance, economic stagnation and insecurity in some countries pose serious challenges to the region's continued development. The recent surge in migration to the United States and Mexico from Honduras, El Salvador and Guatemala is an outcome of the region's development challenges.

The U.S. government has a strong interest in working with international organizations and regional governments to assist the region toward sustained, broad-based economic growth, good governance, and improved security conditions. In 2014, the governments of Honduras, Guatemala and El Salvador presented a "Plan of the Alliance for Prosperity in the Northern Triangle" which outlines guidelines and commitments by regional leaders to promote human well-being in the region, improve the work and business climate, ensure more effective government, create jobs, reduce poverty, improve the quality of services and expand economic opportunities for all. These goals are consistent with USAID's overall strategy for development in the region.

USAID's regional approach notes the need to address employment, and the inter-relationship between migration and jobs. More than five million Central Americans are expected to join the workforce over the next decade. Economic prospects in the region will correlate directly to levels of migration to Mexico and the United States.

Central America regional programming should be based in a country program either in Mexico or in El Salvador. While the overall challenges of economic growth and job creation are beyond the scope of the GLP, USAID's approach to the region recognizes the need to strengthen the role of civil society. Citizens, through their representative organizations, will play a critical role in ensuring governments deliver on their commitments. For example, civil service reform will be a necessary component to increasing the effectiveness and capacity of governments in the region. Independent and nonpartisan worker organizations that represent civil servants will have a critical role to play in representing citizen interests in ensuring that appropriate training and incentive systems are in place to bring about a high level of professionalism and integrity in public service.

Regional programs should also build on the work of the previous GLP to create strong regional networks among vulnerable workers, particularly in informal occupations. In Central America, domestic workers, construction workers, migrant workers and other informal sector workers fall outside the protection of national labor laws, safety nets like social security, and other social protection. They also lack representation or bargaining rights. This contributes to their overall economic instability and vulnerability to shocks. Central America regional programming has worked with sub-regional networks of domestic workers, construction workers, transport workers and street vendors on advocacy to increase job security, develop strong and inclusive labor laws and safety nets, and increase respect for labor rights. Central America regional programming should expand upon the development of these networks, to promote effective advocacy and negotiation toward higher income and benefits levels and access to social protections and social dialogue.

Specific regional goals for USAID in Central America, in addition to civil service reform, include:

- Strengthen the independence of unions and worker organizations and their capacity to represent their members' interests
- Strengthen anti-corruption initiatives
- Promote norms to address gender-based violence.

### ***Colombia:***

With Colombia emerging from decades of conflict, USAID/Colombia has and will continue to focus on strengthening labor organizations and institutions as part of its overall strategic objectives. USAID has played an important role in the USG's broader inter-agency efforts to strengthen the Colombian state, transition out of internal armed conflict, and lay the foundations for peace. Given Colombia's status as a middle-income country and its growing ability to address its own development challenges and even those of its neighbors, USAID plans a gradual transition from an assistance relationship to one of increasingly greater partnership.

USAID/Colombia's CDCS has an overall goal to strengthen Colombia's capacity to implement a sustainable and inclusive peace. USAID/Colombia's support for effective presence of democratic institutions and processes in targeted areas assists Colombia in extending institutional presence and control to those areas transitioning out of conflict as a prerequisite to peace. A durable peace requires strong civil society organizations representing citizen interests democratically, demanding accountability and transparency, and monitoring for corruption.

In April 2011, the Government of Colombia jointly signed a Labor Action Plan (LAP) with the United States that committed Colombia to a series of actions to promote and enforce labor rights, prevent violence against trade unionists and reduce impunity, and formalize employment relations. Some reforms, such as those regarding labor administration and formalization of employment, have already been codified in a new set of legal norms that aim to improve labor stability and labor rights for hundreds of thousands of workers currently employed through sub-contracting schemes and short-term hiring arrangements. Workers' organizations have a critical role to play in promoting accountability from the Colombian government to the LAP. Representative, democratic, grassroots organizations can take a lead in mobilizing the Colombian public to generate demand-side pressure for formal labor relations consistent with international labor standards and effective rule of law, and in particular may be able to reach and include the voices of vulnerable workers.

Global Labor Program activities in Colombia, while responding directly to the proposed results framework for the overall GLP, should also contribute to the following Intermediate Results (IRs) and sub-IRs support the achievement of DO1:

- IR 1.3: Improved administration of justice and protection of human rights
  - Sub-IR 1.3.1: Increased access to justice
  - Sub-IR 1.3.2: Increased capacity to prevent and respond to human rights violations

In addition, because poverty and inequality are at the root of civil conflict, USAID Colombia supports creating improved conditions for inclusive rural economic growth to help build the foundation for a durable peace. Inclusive approaches to economic development should focus on vulnerable populations, including those living in neglected areas of the country as well as Afro-Colombians, indigenous communities, and women.

### ***South Africa (and southern Africa regional):***

South Africa's partnership with the United States is central to U.S. efforts in Africa. USAID's primary development goal in South Africa over the next five years is to support the continued transformation of South Africa into an equitable, effective, and exemplary nation with effective systems that protect its most vulnerable citizens, promotes their well-being, and guarantees equal opportunity in education and employment.

As USAID/South Africa serves as both a bilateral Mission to South Africa and a regional Mission to Southern Africa, the South Africa CDCS is well integrated with the Southern Africa Regional Development Cooperation Strategy (RDCCS). As such, USAID/SA endeavors to leverage South Africa's strengths in order to benefit lower income countries in the region.

USAID/SA's CDCS has established a cross-cutting Intermediate Result that supports all of its development objectives.

#### IR 2.1 Democratic governance and accountability strengthened

Democratic governance and accountability are at the heart of a strong foundation for equitable and progressive economic growth. Thus, IR 2.1 impacts all sectors.

South Africa suffers from severe unemployment, with approximately three of every five working age individuals unemployed. Most of the unemployed are black and have never held a formal sector job. Joblessness is particularly acute among youth ages 18 to 30; it is estimated that 42 percent of the people in this age group are unemployed.<sup>16</sup> Employment promotion activities are thus a critical priority for the country. At the same time, numerous opportunities exist to support South Africa to institutionalize its democratic foundations and its commitment to good governance. These include supporting the strengthening of accountability mechanisms and promoting government effectiveness in responding to its citizens' needs and aspirations. Relevant country-based activities may include facilitating the role of worker organizations to collaborate with government and employers in contributing to effective labor and employment policy.

*Gender and Social Inclusion* represents a cross-cutting theme for USAID/SA. South Africa has made great strides towards gender equality. South Africa has signed and ratified the Southern Africa Development Community (SADC) Gender and Development Protocol, which aims to ensure 50% representation of women in all decision-making structures in government and private entities. It also designed a political and legal framework that upholds women's rights in education, health, and employment. The Government of South Africa has provided the vehicle for legislative and judicial intervention to deal with the prevailing gender-based violence and has enabled women's groups to lobby around issues for the advancement of women's rights. However, work is needed to ensure the government's ability to implement, monitor, and evaluate these new policies, while ensuring they reach women and other marginalized populations. Relevant country-based activities that will serve the goals of gender and social inclusion may include promoting greater participation at decision-making levels in trade unions and worker organizations; addressing discrimination and gender-based violence in the workplace; and promoting employment policies that address the needs of women and vulnerable populations.

As mentioned above, USAID/SA is both a regional and bilateral mission. The regional mission provides administrative and programmatic support countries in Southern Africa, including Lesotho, Namibia, Botswana and Swaziland. Central to USAID/SA's regional mission is the importance of regional integration, which examines the countries of the Southern Africa Development Community (SADC) as a whole and identifies synergies and trends in the region. USAID/SA has a mandate to address transnational issues that cannot be addressed by any one country alone. Relevant regional development objectives for labor programming include:

DO1: Increased sustainable economic growth in targeted areas

DO3: Improved rule of law and respect for human rights

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<sup>16</sup> 2011 Budget Speech, Minister of Finance, Pravin Gordham, February 23, 2011.

DO 3 is intended to increase respect for rule of law and human rights by supporting regional institutions to conduct advocacy, strategic litigation and judicial and legal training throughout the region, including in countries where there is difficulty in working on internal issues due to political constraints. In the southern Africa region, appropriate activities may include a focus on strengthening accountability mechanisms, or promoting policy approaches to inter-governmental bodies, such as SADC, to strengthen the capacity of its member states to effectively respond to cross-border migration for employment, which is prevalent in the mining and agricultural sectors.

***Ukraine:***

The political landscape in Ukraine has changed dramatically since the initiation of the last CDCS in 2012. The Global Labor Program has been responsive to these changes. Beginning in late 2013, the Euromaidan protest movement dominated events in Ukraine. The protests began in November 2013 as a movement in support of negotiations to reach an association agreement with the European Union, which the government of then President Yanukovich suspended in favor of closer relations with Russia. The protest movement led to the downfall of President Yanukovich's government in February 2014 and a military confrontation with the Russian Federation, including the annexation of Crimea by Russia in March 2014 that continues to this day. The Euromaidan movement and subsequent events had a profound impact on Ukrainian civil society and on the labor movement.

In response to unforeseen events in early 2014, USAID supported the immediate augmentation of Global Labor Program activities. The Global Labor Program was well-positioned to provide strategic and organizing support to union federations during this period of political turmoil.

In light of the dramatic recent political changes, USAID/Ukraine is revising its overall country strategy and approach to DRG and economic growth. Labor issues will be of ongoing interest to USAID, although it will be necessary for any approach to new work in the country to incorporate sufficient flexibility to respond to evolving national priorities. The following issues have been identified as areas of strong interest for USAID/Ukraine, and as such, applicants are encouraged to describe the relationship between proposed activities and the following topics:

- Reconciliation and National Dialogue
- Transparency, Accountability and Anti-Corruption
- Legal Environment for and Political Impact of IMF Financial Reforms

Specific activities of interest to USAID/Ukraine include:

- strengthening tripartism and social dialogue
- strengthening Worker Rights Centers as leading NGOs to promote worker rights
- building capacity of labor unions as meaningful voices in carrying out reforms, and
- empowering and promoting women leadership in labor unions.

***Suggested Countries:***

The following countries are designated as suggested countries for this program. No more than nine total country programs may be proposed. Applicants may choose not to propose any additional country-based

programming beyond the six required core country programs. However, regional programming may not be proposed in any region where no ‘anchor’ country program exists.

Prospective implementers that propose work in any of the following suggested countries will be encouraged to indicate how proposed programming addresses overall USAID priorities in the country, and how it will be integrated with other labor programming in country. Prospective implementers should also explain how country selection strategically supports any thematic/sectoral/regional work proposed.

Applicants are encouraged to propose work that covers the full five-year timeline supported by the GLP. However, recognizing changing political contexts in many of these countries, applicants may propose a lengthy initial period to scale up new country programs, with activities in the initial period supported through a regional hub while the applicant establishes the necessary relationships on the ground to develop a full country program. Applicants are also encouraged to propose regional work that covers one or more of the countries on the list below and may cover additional countries, and may allow for a strategic ‘pivot’ of programming into that country as political conditions change to create new openings for labor activities. For example, regional programming based in a country office in Thailand or Cambodia might support country-based work that pivots to Burma or Vietnam as conditions permit, and may also cover non-listed countries that are part of a regional framework, such as Malaysia.

*Burma*  
*El Salvador*  
*Haiti*  
*Jordan*  
*Kenya*  
*Liberia*  
*Mexico*  
*Morocco*  
*Thailand*  
*Vietnam*

Applicants may propose work through regional programs in countries not identified on this list. However, they will be required to demonstrate that proposed country programs are consistent with overall USAID goals for that country. The criteria for country selection should include the degree of need, the likelihood of achieving measurement and replicable results, and relevance to key US foreign policy and development objectives.

### ***General Strategic Approaches:***

The GLP will require prospective implementers to incorporate the following strategic approaches throughout activities in all regions and countries:

#### *Learning Activity*

USAID is committed to ensuring programming reflects strategic choices that are informed by experience and cutting-edge evidence and analysis. USAID therefore supports research to bring together academics and practitioners to strengthen our evidence base: to identify gaps, challenges and successes in order to advance knowledge and improve program approaches.

The GLP will support a learning activity or activities linked to overall GLP objectives, in particular, analysis of effective approaches to strengthen worker organizations. Technology, transportation and telecommunications have enabled new forms of employment relationships, and new types of work, to emerge in recent decades.<sup>17</sup> Organizing strategies within formal labor movements have not kept pace with the changing nature of work. Development approaches to protect and promote workers' rights must keep pace not only with new forms of work, but also with evolving strategies to reach, educate and organize workers in both traditional and emerging occupations and sectors. GLP will support learning approaches that seek to review evidence, address research gaps, and/or provide practical applications for the diffuse and sometimes contradictory literature on the evolving nature of work and new strategies for organizing workers.

Applicants should propose an activity or activities to link practitioners and researchers in developing countries for production of a body of new evidence, clearly linked to and supportive of GLP objectives and implementation approaches. Applicants are encouraged to think carefully about learning activities that will best address knowledge gaps. Activities need not lead to academic research products; applied learning activities such as pilot programs, crowdsourcing approaches to data collection or problem-solving or other creative activities to foster learning are encouraged. An illustrative example of such an approach is the Workers Lab ([theworkerslab.com](http://theworkerslab.com))

If research papers are commissioned, they should not merely be case studies; new research should be based on evidence reviews and identification of research gaps, should include a testable hypothesis, and should be able to generalize findings from specific case research to address that hypothesis. Applicants are strongly encouraged to identify research partners from outside the United States. This may include academic partners in developing countries, or leading labor researchers in other OECD countries or within multilateral organizations.

Additional learning activities may also choose to focus on practical application of existing knowledge. Events and conferences which highlight the practical implications of existing research on labor in areas such as precarious work, migration, or other topics related to overall program activities may be proposed. As an illustrative example, an appropriate event might bring academics and practitioners together to share research findings related to goals, targets and indicators in the context of the post-2015 SDG discussions; or may bring together women's rights advocates to engage an international platform for advocacy

### *Gender Integration and Social Inclusion*

Consistent with USAID's Gender Equality and Female Empowerment Policy, USAID Disability Policy<sup>18</sup>, and USAID LGBT Vision for Action<sup>19</sup>, activities should demonstrate thorough integration of the following goals:

- Reduce gender and social disparities in access to, control over and benefit from resources, wealth, opportunities, and services; and

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<sup>17</sup> New types of employment include tech support workers, Uber drivers and others in the so-called 'sharing' economy; new employment relationships include workers employed that may previously have been directly employed by their workplace and are now employed through a placement agency, such as security guards or cleaning staff.

<sup>18</sup> [http://pdf.usaid.gov/pdf\\_docs/PDABQ631.pdf](http://pdf.usaid.gov/pdf_docs/PDABQ631.pdf)

<sup>19</sup> <http://www.usaid.gov/sites/default/files/documents/1874/LGBT%20Vision.pdf>

- Reduce gender-based violence and mitigate its harmful effects on individuals and communities.

Proposed activities should demonstrate adherence to the policy of inclusion of all women and men, girls and boys regardless of age, sexual orientation, gender identity, disability status, religion, ethnicity, socioeconomic status, geographic area, migratory status, forced displacement or HIV/AIDS status.

#### *Partnering with Local Organizations and Key Stakeholders:*

To maximize sustainable impact, program implementers will be expected to work closely in partnership with national, sectoral and local worker organizations in a given country, as well as labor CSOs and other advocacy groups who support workers' rights, and to describe how activities may be sustainably advanced by local partners beyond the life of the program. Proposed activities should also engage other key stakeholders within society, including employer associations, who may enjoy legitimacy within their communities and have the ability to facilitate a public discourse on labor rights. This is consistent with USAID's objective to promote sustainable development through high-impact partnerships and local solutions. The USAID Forward policy promotes new models for public-private partnerships and increased investment directly to local organizations.

#### *Identify and Scale Innovative Solutions*

USAID seeks to strengthen the Agency's work with scientists, researchers and universities, investing in new technologies to source and scale game-changing solutions, and supporting mobile solutions to dramatically expand opportunity. The goals of this policy are to produce breakthrough development innovations by sourcing, testing, and scaling proven solutions to reach hundreds of millions of people and to accelerate the transformation of the development enterprise by opening development to people everywhere with good ideas, promoting new and deepening existing partnerships, bringing data and evidence to bear, and harnessing scientific and technological advances.

Effective program approaches should integrate the use of technology and innovation as tools to accelerate USAID's development objectives around the world. For example, specific activities might support the creation/utilization of innovative communication tools and approaches in target sectors to safely include and leverage the voices of individual workers. Platforms might use accumulated data to enable interventions to address root causes of labor violations, building from specific cases and interventions to a broader data set that would more effectively map points of vulnerability and promote effective interventions.<sup>20</sup>

## **Monitoring and Evaluation Plan**

### *Monitoring and Evaluation*

Monitoring and Evaluation will be integral to program management. A robust Performance Management Plan (PMP) will lay a framework for measuring progress toward the achievement of IRs and sub-IRs. The

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<sup>20</sup> As an illustrative example of such activity, USAID has supported Labor Link through the Development Innovation Ventures fund. Labor Link is deployed in 8 countries—from China to Brazil—reaching more than 60,000 workers.

PMP will incorporate performance indicators that harmonize with USAID data collection needs<sup>21</sup> at the output, outcome and impact levels.

USAID will require baseline studies for IR-level indicators (where such information is not already available) to measure the initial conditions being addressed. The baseline should provide a foundation for mid-term and final performance evaluations. These baselines and appropriate targets will be reflected in the PMP. Baseline studies, indicators and targets will be disaggregated by gender and to reflect other categories of social exclusion, where possible.

In line with USAID's evaluation policy and project design best practices, continuing streams of M&E data and feedback will add value at every stage of implementation, from design through close-out. The M & E plan will also inform an independent mid-term and final performance evaluation of the program to be led and managed by USAID DCHA/DRG. Performance Monitoring tracks changes in performance indicators that are selected before project implementation to demonstrate if desired results are occurring and in implementation is occurring as planned.

**[END OF SECTION A]**

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<sup>21</sup> Data should be in a format that can be managed via USAID Performance Indicator Tracking Tables

## **SECTION B: FEDERAL AWARD INFORMATION**

### **B.1 ESTIMATE OF FUNDS AVAILABLE AND NUMBER OF AWARDS CONTEMPLATED**

Subject to funding availability, USAID intends to provide \$37.5 million in total USAID funding over a five year period. The ceiling for this program is \$37.5 million. Actual funding amounts are subject to availability of funds.

USAID intends to award one Cooperative Agreement pursuant to this notice of funding opportunity.

USAID reserves the right to fund any one or none of the applications submitted.

### **B.2 START DATE AND PERIOD OF PERFORMANCE FOR FEDERAL AWARDS**

The period of performance anticipated herein is 5 years. The estimated start date will be upon the signature of the award, on or about.

### **B.3 SUBSTANTIAL INVOLVEMENT**

USAID intends to award a cooperative agreement for the Leader Award to the responsible applicant(s) whose application, conforming to this NFO, offers the greatest value in furthering the goals of the program described in Section A of this NFO. A cooperative agreement is distinguished from a grant by virtue of USAID having substantial involvement in the implementation of the program.

USAID will be substantially involved in the implementation of the core program described in Section A of this NFO, under the Leader Award. The intended purpose of the Agreement Officer's Representative (AOR) involvement during the implementation of the program is to assist the recipient in achieving the supported objectives. It is expected that the Agreement Officer will delegate the following approvals to the AOR, except for changes to the Program Description or the approved budget, which may only be approved by the Agreement Officer.

Substantial involvement may be inclusive of:

- (a) Approval of the Recipient's Implementation Plans
- (b) Approval of Specified Key Personnel
- (c) Agency and Recipient Collaboration or Joint Participation including collaborative involvement in selection of advisory committee members, concurrence on the substantive provisions of sub-awards, approval of the recipient's monitoring and evaluation plans, and/or monitor to authorize specified kinds of direction or redirection because of interrelationships with other projects.

#### **B.4 TITLE TO PROPERTY**

Property title under the resultant agreement shall vest with the Recipient in accordance with the requirements of the relevant geographic areas.

#### **B.5 AUTHORIZED GEOGRAPHIC CODE**

The authorized geographic code for award recipients is 937. (See ADS 310.3.1.1 and ADS 310.3.1.6 for details see <http://www.usaid.gov/sites/default/files/documents/1876/310.pdf>)

Local procurement is authorized within the parameters specified in 22 CFR 228.40, “Local Procurement.”

#### **B.6 PURPOSE OF THE AWARD**

The principal purpose of the relationship with the Recipient and under the subject program is to transfer funds to accomplish a public purpose of support or stimulation of the Global Labor Program which is authorized by Federal statute.

The successful Recipient will be responsible for ensuring the achievement of the program objectives and the efficient and effective administration of the award through the application of sound management practices. The Recipient will assume responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award. The Recipient using its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the resulting award.

**[END OF SECTION B]**

## **SECTION C: ELIGIBILITY INFORMATION**

### **C.1 ELIGIBLE APPLICANTS**

U.S. and non-US organizations may participate under this NFO.

USAID welcomes applications from organizations which have not previously received financial assistance from USAID.

Applications for renewal of existing projects are eligible to compete with applications for new Federal awards.

Applicants must have established financial management, monitoring and evaluation processes, internal control systems, and policies and procedures that comply with established U.S. Government standards, laws, and regulations. The successful applicant(s) will be subject to a responsibility determination assessment (Pre-award Survey) by the Agreement Officer (AO).

Applicant must have a DUNS number; if the applicant doesn't have a DUNS number, it is required to obtain one before award (if successful). For information, see ADS 302sao, Guidance for Obtaining a DUNS Number.

The Recipient must be a responsible entity. The AO may determine if a pre-award survey is required to conduct an assessment that will determine whether the prospective recipient has the necessary organizational experience, accounting and operational controls, and technical skills – or ability to obtain them – in order to achieve the objectives of the program and comply with the terms and conditions of the award.

### **C.2 COST SHARING OR MATCHING**

There is no mandatory level of cost-sharing (matching) for this program; however, USAID encourages cost-sharing to the maximum practicable extent, and any proposed cost-sharing will be assessed by USAID as part of determining which applications offer the greatest value. Cost-sharing or matching means that portion of project or program costs not borne by the U.S. Government. Cost-sharing includes cash and in-kind contributions, and is subject to 2 CFR 700.10 and the USAID Standard Provisions for US Organizations and non-U.S. Non-Governmental Organizations entitled to Cost Sharing (Matching) which, *inter alia*, requires that cost-sharing be verifiable from the Recipient's records. Cost-sharing or matching is normally associated with contributions from the same prime and sub-recipient sources that also receive USAID funds under an award, but can include contributions from third parties. Failure to meet a cost-sharing requirement can result in the Recipient having to make refunds to USAID or a reduction in future funding.

### **C.3 ELIGIBILITY OF GOODS AND SERVICES FOR USAID FINANCING**

- a. Applicable Rules

1. The recipient must comply with USAID's Rules for Procurement of Commodities and Services Financed by USAID in 2 CFR 700 and 2 CFR 200 – Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards in the procurement and long-term lease of goods and services with USAID funds. These rules govern the source of USAID-financed commodities and the nationality of suppliers of USAID-financed commodities and services, which must be in a country that is included in the authorized geographic code (see Section III.D.1[c] below). These rules apply to the recipient's procurement contracts (as defined in 2 CFR 200) with vendors and to subcontracts at all tiers under the recipient's procurement contracts.

b. Sub-Awards

1. These rules do not apply to sub-awards (as defined in 2 CFR 200.92), but do apply to the procurement and long-term lease of goods and services by sub-recipients (as defined in 2 CFR 200.93) at all tiers, and to those sub-recipients' procurement contracts and subcontracts with vendors at all tiers. These rules do not apply to procurement or long-term lease of goods and services with cost-sharing or program income funds.

c. Authorized Geographic Code

1. For the award(s) resulting from this solicitation, the authorized geographic code for the source of USAID-financed commodities (other than "restricted commodities," as discussed below), and for the nationality of suppliers of USAID-financed commodities (other than restricted commodities) and services (other than ocean and air transportation, construction, and engineering services, as discussed below), is Geographic Code 937. Geographic Codes are described in the Internal Mandatory References to Chapter 310 of USAID's Automated Directives System (ADS 310) entitled "List of Developing Countries", "List of Advanced Developing Countries", and "List of Prohibited Source Countries"

d. Restricted Commodities

1. "Restricted Commodities" are certain agricultural commodities, motor vehicles (excluding driver service), pharmaceuticals, condoms and contraceptives, pesticides, used equipment, and non-local purchase of fertilizer. Special rules apply to restricted commodities, and are described in ADS 312.3.3.

e. Ocean and Air Transportation Services

1. Ocean and air transportation services will be subject to the requirements of the USAID Provisions for US Organizations and non-U.S. Non-Governmental Organizations entitled "Ocean Shipment of Goods" and "Travel and International Air Transportation," respectively.

#### **C.4 APPLICANT RESPONSIBILITY**

In order for an award to be made, the USAID Agreement Officer must evaluate the risks posed by applicants before making the award as discussed in ADS 303.3.9. This means that the applicant must possess, or must have the ability to obtain, the necessary management and technical competence to conduct the proposed program, and must agree to practice mutually agreed-upon methods of accountability for funds and other assets provided or funded by USAID.

The following criteria are used by USAID in assessing an applicant's "risk:"

- Adequacy of Applicant's Program Description, Budget, and Monitoring System.
- Adequacy of the Applicant's Financial Resources for Program Performance.
- Applicant's Ability to Meet Award Requirements of ADS 303 at: <http://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>.

In the absence of an affirmative "risk" determination, an award can ordinarily not be made, unless the Agreement Officer includes Special Award Conditions designed to minimize the risk to USAID posed by high-risk organizations (see ADS 303.3.9.2). Awards to potential new partners may be significantly delayed if USAID must undertake necessary pre-award reviews of these organizations to determine their "responsibility." These organizations should take this into account and plan their implementation dates and activities accordingly.

#### **C.5 ELIGIBILITY OF ACTIVITIES UNDER USAID'S ENVIRONMENTAL REGULATIONS**

- a. Section 117 of the Foreign Assistance Act of 1961, as amended, requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying-out its development programs, as codified in 22 CFR 216 and in USAID's Automated Directives System (ADS) 204, which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. The environmental compliance obligations of the Recipient of the award(s) resulting from this NFO under these regulations and procedures are specified in the following paragraphs.
- b. In addition, the Recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern.
- c. No activity funded under the award(s) resulting from this NFO may be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly

signed by the Bureau Environmental Officer (BEO). (Such documents are hereinafter described as “approved Regulation 216 environmental documentation.”)

- d. As part of its annual work-plans, the Recipient, in collaboration with the AOR and BEO, shall review all ongoing and planned activities under the award to determine if they are within the scope of the approved Regulation 216 environmental documentation. If the Recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments. Any activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received.
- e. The Recipient will be required to use an Environmental Review Form (ERF) or Environmental Review (ER) checklist using impact assessment tools to screen sub-award and contract proposals to ensure the funded proposals will result in no adverse environmental impact, to develop mitigation measures, as necessary, and to specify monitoring and reporting. Use of the ERF or ER checklist is required when the nature of the proposals to be funded is not well enough known to make an informed decision about their potential environmental impacts; yet, due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of these activities cannot proceed until the ERF or ER checklist is completed and approved by USAID. The Recipient is responsible for ensuring that mitigation measures specified by the ERF or ER checklist process are implemented. The Recipient will also be responsible for periodic reporting to the AOR, as specified in the award.
- f. The costs of environmental compliance will be reimbursable under the award(s) resulting from this NFO provided that they are otherwise in accordance with the terms and conditions of the award.

## **C.6 OTHER**

There is a limit of one application per applicant submitting under this notice of funding opportunity. This limitation applies to the submitting organization only and not to any individual personnel or partner organizations named.

**[END OF SECTION C]**

## SECTION D: APPLICATION AND SUBMISSION INFORMATION

### D.1 AGENCY POINT OF CONTACT

Miss Chelsea Poling, Agreement Specialist  
U.S. Agency for International Development/Washington  
SA-44, Room 524-G  
301 4<sup>th</sup> Street, SW  
Washington, DC 20024  
Email: [cpoling@usaid.gov](mailto:cpoling@usaid.gov)

Questions and Answers:

All questions regarding this NFO should be submitted in writing to Chelsea Poling at [cpoling@usaid.gov](mailto:cpoling@usaid.gov) by (5:00pm EST on August 21, 2015) to provide sufficient time to address the questions and incorporate the questions and answers as an amendment to this solicitation. Any information given to a prospective Applicant concerning this NFO will be furnished promptly to all other prospective Applicants as an amendment to this NFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective Applicant.

### D.2 CONTENT AND FORM OF APPLICATION SUBMISSION

Applications must be received in electronic copy by **5:00pm EST on September 24, 2015**

Applicants are expected to review, understand, and comply with all aspects of the NFO.

All applicants must have a DUNS number and must be registered in the U.S. Government's System for Award Management ([SAM](#)). USAID cannot fund organizations that do not comply. A DUNS number may be obtained at <http://fedgov.dnb.com/webform>, and is required for registration in SAM.

Applications, application modifications, and/or revised applications/addenda consist of a technical application and a cost/business application which must be submitted in two separate volumes, each of which must be organized by the headings set forth below and must include the information described below.

Unless otherwise indicated, applications shall cover only the Leader Award. Separate applications will be submitted for Associate Awards when and if they arise.

Applications, application modifications, and revised applications/addenda must be submitted electronically to the e-mail addresses noted above in Section D.1 and may (but are not required to) be submitted through [www.grants.gov](http://www.grants.gov). An applicant must first register on-line with [www.grants.gov](http://www.grants.gov), and should allow sufficient time to do so. If the applicant has difficulty

registering, the applicant should contact the [www.grants.gov](http://www.grants.gov) Help Desk at 1-800-518-4726 or via e-mail at [support@grants.gov](mailto:support@grants.gov) for technical assistance.

Applications, application modifications, and revised applications/addenda must include a cover letter which, at a minimum, includes: (A) the NFO number; (B) the name, address, and telephone and email address of the applicant; and (C) names, titles, and telephone and e-mail addresses of persons authorized to negotiate and sign on the applicant's behalf.

Applications, application modifications, and revised applications/addenda in response to this NFO must be in English or with accompanying English translations, and in U.S. dollars.

Applicants may submit application modifications at any time before the NFO closing date and time, and may submit application modifications in response to an NFO amendment, or to correct a mistake at any time before award.

Applicants may submit revised applications/addenda only if requested or allowed by the Agreement Officer.

Applications may be withdrawn by written notice received at any time before award. Applications may be withdrawn in person by an applicant or an authorized representative, if the representative's identity is made known and the representative signs a receipt for the application before award. Withdrawals are effective upon receipt of notice by the Agreement Officer.

#### Preparation of Applications:

USAID requests that applications be kept as concise as possible. The written Technical Application is limited to 60 pages total, not including annexes, exhibits, etc., and shall be written in English. Offerors should format submissions to fit 8.5 inch by 11 inch paper, single-spaced pages and number each page consecutively. No smaller than 12-point font may be used, and margins must be 1 inch or greater. A table of contents must be provided and will not be counted toward the page limit.

Each Applicant shall furnish the information required by this NFO. Applications shall be submitted in two separate parts: (a) Technical Application, and (b) Cost/Business Application.

Any erasures or other changes to the application must be initiated by the person signing the application. Applications signed by an agent on behalf of the Applicant shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

Applicants who include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purpose, should mark the title page with the following legend:

“This application includes data that shall not be disclosed outside the U.S. Government and shall

not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this application. If, however, a grant is awarded to this Applicant as a result of – or in connection with – the submission of this data, the U.S. Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting grant. This restriction does not limit the U.S. Government’s right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets {insert sheet numbers} and, mark each sheet of data it wished to restrict with the following legend:

“Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this application.”

Applicants should retain for their records one (1) copy of the application and all enclosures which accompany it.

### **D.3 APPLICATION SUBMISSION PROCEDURES**

It is the Applicant’s responsibility to ensure that all necessary documentation is complete and received on time.

Applicants may send applications to Agency Point of Contact identified in Section D.1 of this NFO or upload applications to <http://www.grants.gov>. USAID bears no responsibility for data errors resulting from transmission or conversion processes associated with electronic submissions.

If the Applicant experiences difficulty with electronic submission, you should contact the support desk at [grants.gov](http://www.grants.gov), which can be found <http://www.grants.gov>.

For an application sent by multiple e-mails, please indicate in the subject line of the e-mail whether the e-mail relates to the technical or cost application, and the desired sequence of multiple e-mails (if more than one is sent) and of attachments (e.g. “No. 1 of 4”, etc.) For example, if your cost application is sent in two e-mails, the first e-mail should have a subject line which says “(organization name), Cost Application, Part 1 of 2.”

Our preference is that the technical application and the cost application be submitted as single e-mail attachments, e.g. that you consolidate the various parts of a technical application into a single document before sending them. If this is not possible, please provide instructions for how to collate the attachments. USAID will not be responsible for errors in compiling electronic applications if no instructions are provided or are unclear. All applications received by the submission deadline will be reviewed for responsiveness to the NFO and the application format. No additions or modifications will be accepted after the submission date.

After you have sent your applications electronically, immediately check your own e-mail to confirm that the attachments you intended to send were indeed sent. If you discover an error in your transmission, please send the material again and note in the subject line of the e-mail or indicate in the file name submitted via [grants.gov](http://www.grants.gov) that it is a ‘corrected’ submission. Do not send

the same e-mail more than once unless there has been a change, and if so, please note that it is a ‘corrected’ e-mail.

#### **D.4 TECHNICAL APPLICATION FORMAT**

The technical application will be the most important factor for consideration in selection for award of the proposed Cooperative Agreement. The technical application should be specific, complete and presented concisely. The application should demonstrate the Applicant's capabilities and expertise with respect to achieving the goals of this program. The application should take into account the requirements of the program and evaluation criteria found in this NFO.

Applications shall respond directly to the terms, conditions, specifications and provisions of this NFO. All applications are expected to demonstrate capacity to address the full scope of the program objectives as stated in the NFO. USAID encourages applicants to partner with regional or international organizations, as well as with local organizations with regional or country-specific expertise. USAID seeks applications which contain realistic and well thought out arrangements for working with a variety of pertinent partner organizations which bring complementary expertise to the program.

USAID will alert the Cooperative Agreement recipient to legislative prohibitions or policy directives for certain countries that may restrict working with certain governments or providing any direct assistance to them. In light of the fluid political environment in many countries, the Cooperative Agreement recipient shall maintain flexibility in program implementation and be sensitive to shifts in USAID’s programming priorities.

The Technical Application should be in English, 12 point, Times New Roman font.

The following chart presents recommended length for each major section and criterion of the technical application, and recommended maximum number of pages for each sub-criterion.

	Recommended Page Maximum for Sub-criterion	Parts to be included as an Annex to the Technical Application
<b>Cover Page</b>	1	
<b>Executive Summary</b>	2- 3 pp.	
<b>Technical Ability</b>		
<i>Technical Understanding</i>		
General	2- 4 pp.	
Thematic/Sectoral Programs	1 – 3 pp. each	
Regional Programs	1 – 3 pp. each	
Country Programs (required)	2-5 pp. each	
Country Programs (optional)	2-5 pp. each	
Learning Activity	2 – 4 pp.	

<i>M&amp;E Summary</i>	2	
Performance Monitor Plan		Annex
Work Plan		Annex
Internal Evaluation Plan		Annex
<b>Institutional Capacity</b>	4	
<b>Personnel / Partners Overview</b>		
Staffing and Management Plan	3 - 5	Annex
Personnel & Skills Matrix	1	Annex
Local, Regional or Global Partners	1 pg each partner	Annex
Key Personnel Resumes	2 pg each resume	Annex
<b>Past Performance</b>		
Contractor Performance Report Short-Forms		Annex

All criterion information from appendices should be summarized in the technical application.

Technical applications shall be specific, complete and presented concisely. The applications shall demonstrate the applicant's capabilities and expertise with respect to achieving the goals of this program. The applications shall take into account the technical evaluation criteria.

The Technical Application shall include the following sections:

**a. Cover Page (1 page maximum)**

The cover page shall include the program title, the NFO reference number, and the name of the organization(s) applying for the agreement. If there are any proposed sub-grantees, please list each sub-grantee separately. Please identify a contact for the prime applicant(s), including the individual's name (both typed and his/her signature), title or position within the organization, address, e-mail, and telephone and fax numbers.

**b. Executive Summary (3 pages maximum)**

Briefly describe how the applicant(s) proposes to meet the program objectives, carry out the program approaches, and achieve the expected results. Briefly describe the technical and managerial resources of the applicant's organization and describe how the overall program will be managed.

**c. Technical Ability (50 pages maximum)**

This section must address the program description and objectives in Section I and is composed of parts included and not included in the page limit. Sections not included in the page limit shall be referenced in the body of the text and listed as an annex. Each section is required:

***Technical Understanding (46 pages maximum)***

The application shall provide evidence of advanced knowledge and understanding in the areas of promoting international labor standards, improving workers' access to justice and supporting independent, democratic labor unions and CSOs, as well as the role of these issues in cross-sectoral development goals including democracy, governance and economic growth.

*Regional, Thematic and Sectoral Programs:* Applicants shall provide brief proposals for regional, thematic or sectoral programs, including a program on migration and labor trafficking, as described in Section I, Program Description. Proposals shall focus on linking country partners with relevant regional and transnational partners and institutions toward the overall program objectives. Applicants shall propose relevant specific objectives and results frameworks in this section for each of the programs described.

*Country Programs:* In general, Country Program proposals shall put forth interventions and approaches that support the objectives and results described in this NFO, as given in Section I, Program Description. In addition, proposals shall incorporate integrated approaches, address how proposed approaches and activities will contribute to strengthening developing country partners and institutions and building effective and sustainable local capacity, and shall incorporate gender analysis and gender and social inclusion issues in a substantive and integrated manner.

*Required countries.* For the six countries to be included in the Leader Award (Ukraine, Bangladesh, Cambodia, Colombia, South Africa and either Mexico or El Salvador), Applicants shall respond to the Program Description provided above in Section I with Country Program proposals that describe strategies and approaches for achieving the country-specific objectives and results.

*Optional countries.* For the remaining optional countries applicants are expected to select from zero to three of these countries to be included in the Leader Award, and respond to the general objectives and results in Section I, Program Description, with short country program proposals, including results frameworks, included in their application.

***Monitoring and Evaluation (2 pages maximum)***

The Applicant shall provide a two-page Monitoring and Evaluation Summary, describing methodologies and approaches for monitoring and evaluating progress toward achieving the objectives of this Award. The summary should also give highlights of the Monitoring and

Evaluation Plan, which should be included as an appendix to the technical application in accordance with the instructions below. This summary shall not exceed two pages and shall be included in the Application page limit.

**The Applicant's Monitoring and Evaluation Plan shall be included in the following appendix attachments to the technical application:**

*Performance Monitoring Plans.* The Applicant shall include in its technical application a Performance Monitoring Plan (PMP) for each thematic, sectoral, regional and country-specific program. The PMPs shall directly relate to the results frameworks presented in the Applicant's activity proposals. The PMPs shall use indicators that measure each program's progress against the country-specific 5-year program goals. Indicators that tally inputs or tasks completed or which focus primarily on program outputs are not desirable; rather, indicators shall be designed to track how various and changing activities over the five-year program will produce the outcomes that lead to achievement of the specified country objectives. All indicators shall include information on data collection and analysis methodology (data sources, indicator definition, frequency of data collection, baselines where available, and targets).

The Applicant shall also submit a *summary PMP* that corresponds to the overall LWA 5-year agreement goals and objectives. This PMP shall include the data information that is required of the country, regional and global- specific PMPs but shall focus on higher level program goals and aggregate the most important results achieved across country, regional, and global programs.

*Work Plan.* The application shall include an annual Work Plan for the first year of the award. The Work Plan shall contain activities for each of the thematic, sectoral, regional and country programs. The Work Plan shall present benchmarks to be achieved to demonstrate progress toward the specific results described in the program proposal results framework and PMP, and activities to be completed under the Leader Award in order to achieve each benchmark.

*Internal Evaluation Plan.* A detailed internal evaluation plan for the five year program shall also be submitted, demonstrating how program progress and performance will be gauged, mid-term corrections made, and a methodology for collecting and framework for organizing best practices and lessons learned. The application shall highlight the analytical approaches and methodologies to be used in conducting internal evaluations, articulating an understanding of best practices and lessons learned to date in this sector.

**d. Institutional Capacity (4 pages maximum)**

The application shall address the Leader and its partner organization's capacity in each objective area in Section I, Program Description. This section shall:

- (i) Establish the Applicant's ability and experience in effectively managing and implementing technical projects in the field and conducting the technical leadership activities specified in Section I;

(ii) Demonstrate the efficiency of the Applicant's organizational management structure and performance management systems, as they relate to the execution of the types of program activities described in this NFO.

(iii) Establish the Applicant's sustainable ties and networks within the U.S. and international community, demonstrated ability to build and maintain relationships with host country counterparts, and to transfer information, technologies and skills, demonstrated ability to collaborate successfully with other organizations, specifically local/indigenous regional organizations or institutions in the related geographic and thematic areas.

#### **e. Staffing and Management Plan**

##### ***Management (5 pages maximum)***

The application shall present in an annex to the application:

- a. A management plan for the program that describes:
  - how the applicant will be organized and managed to minimize non-programmatic or administrative oversight and delays and to use the complementary capabilities of team members (s) most effectively;
  - how internal and external coordination of team members and staff will be carried out, establishing lines of authority, financial management and decision-making and management skills to ensure success in achieving results;
  - how the applicant will manage a complex set of activities in multiple countries and regions of the world; and
  - how team members will work with local partners, other USAID programs, and other implementing organizations to achieve results.
- b. Effective and efficient management and administrative arrangements for overall implementation of the program including organizational structure, logistical support, personnel management, procurement arrangements for goods and services, functions and responsibilities of key personnel.

##### ***Personnel/ Partner Organizations (1 – 2 pp each)***

The applicant must provide the following in an annex to the application a one-page summary description of any partner organizations named in the proposal.

Resumes for the following positions: Regional/Country Program Directors, Technical Specialist on Labor Migration and Counter-Trafficking, Gender Specialist and Technical Specialist for Monitoring and Evaluation. All shall have complementary skills and knowledge and have extensive relevant work experience with broad international / geographical coverage.

#### **f. Past Performance (4 pages maximum)**

The applicant shall provide a summary of past performance references in their application. In an annex, the applicant must provide Contractors Performance Report-Short Form for past

performance references for itself and any partner(s) anticipated to perform at least 20% of the program activities.

USAID may use past performance information obtained from other than the sources identified by the applicant/team member. USAID shall determine the relevance of similar past performance information. Past performance information will be used for both the responsibility determination and best value decision.

## **D.5 COST APPLICATION FORMAT**

The Applicant must sign and submit the cost application standard form number SF-424 and SF-424A. Standard Forms can be accessed electronically at [www.grants.gov](http://www.grants.gov).

The Cost or Business application is to be submitted under a separate cover from the Technical application. The Cost/Business application is also to be submitted in Microsoft Excel 2000 or Excel 2003 with any formulae unlocked. The Applicant is requested to submit a budget broken down by program years with an accompanying detailed budget narrative (in MSWord 2000 or MSWord 2003 text accessible) which provides in detail the total costs for implementation of the program as further detailed below.

Certain documents are required to be submitted by an Applicant in order for the Agreement Officer to make a determination of responsibility. However, it is USAID policy not to burden Applicants with undue reporting requirements if that information is readily available through other sources. There is no page limit on the Cost Application. However, unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application in response to this NFO is not desired. Elaborate art work and expensive visual and other presentation aids are neither necessary nor wanted.

If the Applicant has established a consortium or another legal relationship among its partners, the Cost/Business application must include a copy of the legal relationship between the parties. The agreement should include a full discussion of the relationship between the Applicant and Sub-Applicant(s) including identification of the Applicant with whom USAID will work with for purposes of Agreement administration, identity of the Applicant which will have accounting responsibility, how Agreement effort will be allocated and the express agreement of the principals thereto to be held jointly and severally liable for the acts or omissions of the other.

The following sections describe the documentation that the Applicants must submit to USAID prior to award. While there is no page limit for this portion, Applicants are encouraged to be as concise as possible, but still provide the necessary details to address the following:

1. The budget must have an accompanying detailed budget narrative and justification that provides in detail the total program amount for implementation of the program your organization is proposing. The budget narrative should provide information regarding the basis of estimate for each line item, including reference to sources used to substantiate the cost estimate (e.g. organization's policy, payroll document, and vendor quotes, etc.).

2. A budget for each program year with an accompanying detailed budget narrative which provides in detail the total costs for implementation of the program. The budget must be submitted using Standard Form 424 which can be downloaded from the following web site at: <http://apply07.grants.gov/apply/FormLinks?family=15>
3. A breakdown of all costs associated with the program according to the costs of, if applicable, headquarters, regional and/or country offices.
4. Applicants who intend to utilize contractors or sub-awardees should indicate the extent intended and a complete cost breakdown. Extensive contracts/agreement financial plans should follow the same cost format as submitted by the primary Applicant. A breakdown of all costs according to each partner organization, contract or sub-awardee involved in the program should be provided.

*Pursuant to 2 CFR 200 Contract* means a legal instrument by which the Applicant purchases property or services needed to carry out the project or program under a resulting award. The term does not include a legal instrument when the substance of the transaction meets the definition of a Federal award or sub-award (see § 200.92 Sub-award), even if the Applicant considers it a contract. The Applicant must describe the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting proposed by the contractor, and the quality of its record of past performance for similar work. For-profit contract organizations that work under the award and do not meet the above definition of a sub-awardee are eligible for profit/fee.

The cost/business application should contain the budget categories: as shown on the SF-424A

Compiled financial statements shall not be accepted because the Accountant does not obtain or provide any assurance that there are no material modifications that should be made to the financial statements. That is, you have no assurance that the organization is misrepresenting their costs on compiled financial statements which puts the agency at risk. The objective of compiled financial statements is to assist management in presenting financial information.

The Applicant must submit a Negotiated Indirect Cost Rate Agreement NICRA if the organization has such an agreement with an agency or department of the U.S. Government. If no NICRA is in place, the Applicant should submit the following:

Reviewed Financial Statements Report: a report issued by a Certified Public Account (CPA) documenting the review of the financial statements was performed in accordance with Statements on Standards for Accounting and Review Services; that management is responsible for the preparation and fair presentation of the financial statements in accordance with the applicable financial reporting framework and for designing, implementing and maintaining internal control relevant to the preparation. The account must also state the he or she is not aware of any material modifications that should be made to the financial statements; or

**Audited Financial Statements Report:** An auditor issues a report documenting the audit was conducted in accordance with Generally Accepted Auditing Standards (GAAS), the financial statements are the responsibility of management, provides an opinion that the financial statements present fairly in all material respects the financial position of the company and the results of operations are in conformity with the applicable financial reporting framework (or issues a qualified opinion if the financial statements are not in conformity with the applicable financial reporting framework).

### **Detailed Budget Breakdown:**

The applicant shall provide a detailed budget for each year (and a five-year total) of the program. The budget must be submitted using Standard Form 424 which can be downloaded from the following web site at: [http://apply07.grants.gov/apply/FormLinks?family\\_15](http://apply07.grants.gov/apply/FormLinks?family_15). The detailed budget breakdowns shall follow the budget categories as shown on the SF 424-A. The application shall include a subtotal for each budget line item. Each page shall indicate the applicable year.

Any dollar value within the ranges may be utilized, but the budget total must be proposed in the amount of \$37,500,000 for the five-year period, and applicants are encouraged to propose annual expenses of approximately \$7,500,000.

The budget must have an accompanying detailed budget narrative and justification that provides in detail the total program amount for implementation of the program your organization is proposing. The budget narrative should provide information regarding the basis of estimate for each line item, including reference to sources used to substantiate the cost estimate (e.g., organization's policy, payroll document, vendor quotes, etc.)

Applicants are encouraged to be as concise as possible, but still provide the necessary detail to address the following

- the breakdown of all costs associated with the program according to costs of, if applicable, headquarters, regional and/or country offices;
- the breakdown of all costs according to each partner organization, sub-contract or sub/grantee involved in the program;
- the costs associated with external, expatriate technical assistance and those associated with local in-country technical assistance;
- the breakdown of all costs anticipated to be funded with non-federal funds.

### **Cost Share/Matching**

Although cost sharing is not mandatory under this NFO, prospective applicants may demonstrate means to achieve greater cost effectiveness in their applications through alternate sources of funding and/or continue the activities after the USAID assistance has ended. Cost sharing will be an important element in the Cost Application which will be viewed in relation to the

soundness of proposed business management and cost effectiveness of the program activities. Guidance on cost sharing or matching can be found under 2 CFR 200.306. Cost sharing must be verifiable from the recipient's records, and can be audited. Such funds may be contributed from the recipient; other multilateral, bilateral, and foundation donors; host governments; and local organizations, communities and private businesses that contribute financially and in-kind to implementation of activities at the country level. For consortium or partner type relationships, the cost share may be distributed amongst the various partners; but ultimately the organization that is awarded this Leader Award is responsible for meeting the proposed cost share. The cost share, whether it be in-kind or dollars, must have a direct impact on this program. (Under individual Associate Awards, the need for cost-sharing will be individually determined by each Mission or Bureau for their respective programs.).

Applications including a cost share will be considered in terms of cost effectiveness.

**The business section of the cost/business application should include:**

1. Required assurances, certifications and representations
2. Evidence of responsible the Agreement Officer can use to determine the Applicant:
  - a. Has adequate financial resources or the ability to obtain such resources as require during the performance of the award;
  - b. Has the ability to comply with the award conditions, taking into account all existing and currently prospective commitments of the Applicant;
  - c. Has a satisfactory record of performance. Past relevant unsatisfactory performance is ordinarily sufficient to justify a finding of non-responsibility, unless there is clear evidence of subsequent satisfactory performance;
  - d. Has a satisfactory record of integrity and business ethics; and
  - e. Is otherwise qualified and eligible to receive a Cooperative Agreement under applicable laws and regulations (e.g., EEO).
3. Certificate of Compliance: Please submit a copy of your Certificate of Compliance if your organization's systems have been certified by USAID/Washington's Office of Acquisition and Assistance (M/OAA).
4. Statutory and Regulation Certifications

The Applicant shall complete the Required Certifications and sign and date in the signature space provided. The signed and dated printout must then be submitted with the application as an annex to the cost application. Original signed hardcopy of the certifications will be requested from the successful applicant prior to the agreement award.

## D.6 ADDITIONAL DOCUMENTATION

Applicant must submit the application using the SF-424 series, which includes the:

- SF-424, Application for Federal Assistance,
- SF-424A, Budget Information – Non-construction Programs, and
- SF-424B, Assurances – Non-construction Programs.

[SF 424 FORMS ATTACHED TO THE WWW.GRANTS.GOV POSTING.]

### **Pre-Award Certifications, Assurances and Other Statements of the Recipient**

In addition to the certifications that are included in the SF-424, non-U.S. organizations (except as specified below) must provide the following certifications, assurances and other statements:

a. A signed copy of ADS 303mav, Certifications, Assurances, and Other Statements of the Recipient and Solicitation Standard Provisions, which includes:

1. **Assurance of Compliance with Laws and Regulations Governing Nondiscrimination in Federally Assisted Programs** (This assurance applies to Non-U.S. organizations, if any part of the program will be undertaken in the U.S.);
2. **Certification on Lobbying** (22 CFR 227);
3. **Prohibition on Assistance to Drug Traffickers for Covered Countries and Individuals** (ADS 206, Prohibition of Assistance to Drug Traffickers);
4. **Certification Regarding Terrorist Financing**; and
5. **Certification of Recipient**

b. Other certifications and statements found in ADS 303mav, Certifications, Assurances, and Other Statements of the Recipient and Solicitation Standard Provisions:

1. A signed copy of **Key Individual Certification Narcotics Offenses and Drug Trafficking**, (ADS 206.3.10) when applicable;
2. A signed copy of **Participant Certification Narcotics Offenses and Drug Trafficking** (ADS 206.3.10) when applicable;
3. The **Survey on Ensuring Equal Opportunity for Applicants**; and
4. Other Statements of Recipients.

Upon consideration of award or during the negotiations leading to an award, Applicants may be required to submit additional documentation deemed necessary for the Agreement Officer to make an affirmative determination of responsibility. Applicants should not submit the information below with their applications. The information in this section is provided so that Applicants may become familiar with additional documentation that may be requested by

the Agreement Officer:

The information submitted should substantiate:

- Bylaws, constitution, and articles of incorporation, if applicable.
- Whether the organizational travel, procurement, financial management, accounting manual and personnel policies and procedures, especially regarding salary, promotion, leave, differentials, etc., submitted under this section have been reviewed and approved by any agency of the Federal Government, and if so, provide the name, address, and phone number of the cognizant reviewing official. The Applicant should provide copies of the same.

Unique Entity Identifier and System for Award Management: Dun and Bradstreet and SAM.gov Requirements

USAID may not award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements. Each applicant is required to:

- (i) Be registered in SAM before submitting its application. SAM is streamlining processes, eliminating the need to enter the same data multiple times, and consolidating hosting to make the process of doing business with the government more efficient.;
- (ii) Provide a valid unique entity identifier in its application; and
- (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

It is the Applicant's responsibility to ensure that all necessary documentation is complete and received on time.

**D.7 FUNDING RESTRICTIONS**

The award will not allow for the reimbursement of pre-award costs.

USAID policy is not to award profit under assistance instruments. However, all reasonable, allocable and allowable expenses, both direct and indirect, which are related to the agreement program and are in accordance with applicable cost principle under 2 CFR 200 Subpart E. of the Uniform Administrative Requirements may be paid under the anticipated award.

**[END OF SECTION D]**

## **SECTION E – APPLICATION REVIEW INFORMATION**

### **E.1 SELECTION PROCESS**

Applications will be evaluated in accordance with the criteria set forth below. To facilitate the review of the applications, applicants should organize their narrative sections of the application in the same order as the evaluation criteria. After evaluation of the applications, either: (1) the award will be made without discussions/negotiations; or (2) if deemed necessary or desirable by USAID, written and/or verbal discussions/negotiations will be conducted with applicants that submit the most highly rated applications. USAID prefers to evaluate applications and make an award without discussions with applicants (except clarifications, which are limited exchanges between USAID and applicants, such as the relevance of an applicant's past performance information and adverse past performance information to which the applicant has not previously had a chance to respond). Therefore, the applicant's initial application should contain the applicant's best terms.

If discussions are conducted with applicants, they will be conducted with all applicants that submitted the most highly rated applications. However, the Agreement Officer may limit the number of such applications to the greatest number that will permit an efficient competition among the most highly rated applications. Exchanges with applicants after receipt of an application do not constitute a rejection or counteroffer by USAID.

After the conclusion of any such discussions, applicants with whom discussions were conducted will, unless otherwise advised, be required to submit a revised application or addendum to the initial application, which will be re-evaluated against the criteria set forth below. It is expected that an award will ordinarily be made after the first round of any such discussions and revised applications/addenda; however, USAID reserves the right to conduct subsequent rounds of discussions and revised applications/addenda, and to further limit the number of applicants with which such subsequent discussions would be conducted and from which a subsequent round of revised applications/addenda would be requested.

USAID intends to make an award(s) to the responsible applicant(s) whose application, application modification(s), and/or revised application(s)/addendum (a) represents the greatest value to USAID based on the evaluation of applications in accordance with the evaluation criteria set forth below.

#### **A. Technical Application**

Applications will be reviewed and evaluated in accordance with the following criteria shown in descending order of importance.

Technical Approach (45 %)

The evaluation panel will evaluate the applicant's technical understanding of the objectives based on demonstrated understanding of USAID, the overall program description and its

objectives, and the ability to synthesize and apply lessons learned from similar programs or projects.

- *General:* Demonstrated expert knowledge of labor issues and current global trends, especially in relation to the regions and countries specified. Demonstrated technical understanding of and ability to plan for and achieve measurable results toward the program objectives. With respect to gender integration and social inclusion, demonstrated capacity for addressing gender and inclusion issues in a substantive and integrated manner, with specific and effective approaches for addressing gender constraints and designing programs to include vulnerable populations. Clear articulation of how strategic and programmatic approaches accomplish USAID's high-impact development goals. Demonstrated ability to carry out innovative approaches to building and deepening sustainable capacity.
- *Thematic and Sectoral Programs:* Demonstrated technical understanding of and ability to conduct cross-cutting thematic or sectoral program approaches, including carrying out successful, high quality international convenings and program coordination workshops, and successful ability to engage and build multi-stakeholder approaches, networks and coalitions.
- *Regional programs:* Advanced understanding of regional context, sustainable local capacity, and clear articulation of how proposed interventions will achieve regional objectives and results while integrating gender and overall social inclusion, strengthening developing regional partners and institutions, and building effective and sustainable local capacity. Prospective implementers that propose work in any of the following suggested countries will be encouraged to indicate how proposed programming addresses overall USAID priorities in the country, and how it will be integrated with other labor programming in country. Prospective implementers should also explain how country selection strategically supports any thematic/sectoral/regional work proposed.
- *Country programs:* Advanced understanding of country context, and clear articulation of a plausible theory of change and how proposed interventions and approaches will achieve the objectives and results described in this NFO. Proposals shall demonstrate understanding of and experience with: gender analysis and integration of gender and social inclusion issues in programming, strengthening developing country partners and institutions, building effective and sustainable local capacity, working through cooperative partnerships, and networking for greater impact the development community engaged in promoting international labor standards, improving workers' access to justice. Country-specific results frameworks submitted with country proposals shall be considered in the evaluation of the country program. All core countries listed in solicitation should be included. Suggested countries may also be included and proposals should describe how proposed programming addresses overall USAID priorities in the country, and how it will be integrated with other labor programming in country

- *Program on labor migration:* Advanced understanding of the literature, program and policy landscape on labor migration globally. Demonstrated understanding and track record of effective activities to promote the extension of civil and political rights, fundamental rights at work, and access to social dialogue and social protection to migrant workers worldwide, with clear articulation of capacity to address issues in both sending and receiving countries, and where appropriate, strategies to build or engage regional networks.

#### Institutional Capability (20 %)

The application must demonstrate the applicant's overseas experience and capacity for designing and implementing similar programs, including the following areas:

- Demonstrated ability and experience in effectively managing and implementing complex technical projects in the field.
- Clear and cost-effective organizational structures and relationships, and demonstrated capacity to gather and analyze data on project activities and outputs, and program outcomes and impacts.
- Demonstrated experience in sustaining ties and networks within the U.S. and international community; building and maintaining relationships with host country counterparts and transferring information, technologies and skills to them.

#### Management Approach (12 %)

The application will be evaluated on how well it demonstrates clarity, efficiency and effectiveness in the following areas:

- Management structure, including clearly defined functions and management and decision making authorities for the Country Program Directors and key technical specialists, including their roles and responsibilities, using the complementary capabilities of the team member(s) most effectively.
- Management and administrative arrangements for overall implementation of the program including organizational structure, logistical support, personnel management, procurement arrangements for goods and services, functions and responsibilities of key personnel
- Feasibility of strategies or approaches for knowledge management, technical oversight, cost-containment and coordination with non-USAID supported organizations, with foreign governments, and their development partners.

## Key Personnel and Project Partners (8 %)

Within this category, sub-criteria are listed in descending order of importance.

- Demonstrated experience and quality of proposed management and personnel.
- Demonstrated professional capability and appropriate credentials for the areas of expertise, components and specialized tasks/elements specified. Overall credentials and developing country experience will be considered.
- Evidence of availability of personnel and proposed experts.
- Demonstrated engagement of partner organizations at the global, regional, and country levels, with clear articulation of the role of partner organizations, and expertise of project partners.

## Monitoring and Evaluation (5 %)

The Applicant's Performance Monitoring Plan (PMP), Work Plan, and Internal Evaluation Plan will be evaluated based upon the following criteria:

- *Performance Monitoring Plan:* For all proposed global, regional and country programs as well as the macro-level LWA agreement goals and objectives, the extent to which PMP indicators reliably, validly and feasibly measure project progress and impact against clear program objectives and results over the five-year period of award;
- *Work Plan:* For all proposed programs and the macro-level LWA agreement goals and objectives, the extent to which the Work Plan meets the criteria for Work Plans given in the Program Description, presents benchmarks which reliably, validly and feasibly contribute to specific results described in the program proposal results framework and PMP, and viable and innovative activities which will effectively and efficiently achieve the given benchmarks;
- *Internal Evaluation Plan:* The extent to which the internal evaluation plan presents a process for building on data collected in the PMPs to gauge program progress and performance and make necessary mid-term corrections, and describes a sound methodology for collecting and framework for organizing best practices and lessons learned.

## Past Performance (10%)

The past performance evaluation will focus on the applicant's record of conforming to contract /agreement requirements and to standards of good workmanship, record of forecasting and controlling costs, adherence to contract /agreement schedules, including administrative aspects of performance, history of reasonable and cooperative behavior and commitment to customer

satisfaction, the business-like concern for the interest of the customer, and the competency of personnel who worked on the contract/agreement.

USAID reserves the right to obtain past performance information from other sources including those not named in this application.

**B. Cost Application**

The Cost/business application has not been assigned a weight. After review of technical applications, the cost applications of the applicants under consideration for award will be evaluated for general reasonableness, allowability, allocability and cost realism. If deemed necessary, written and/or oral discussions may be conducted. Discussions should not be considered as a determination of selection decision. In the event Technical Applications are ranked/scored substantially the same, the applicant that represents the best value in terms of cost may be the determining factor for award.

**[END OF SECTION E]**

## **SECTION F: FEDERAL AWARD ADMINISTRATION INFORMATION**

### **F.1 FEDERAL AWARD NOTICES**

The Leader Award is anticipated to be made by no later than March 2016. Although an earlier notification may be provided to applicants regarding their recommended selection for an award, only an award signed by the USAID Agreement Officer will constitute the USAID commitment of the selection of the applicant. USAID may, at its sole discretion, provide the award to the successful applicant's designated point or contact in hardcopy originals, by fax, or electronically. The signed award will authorize the selected applicant to begin implementation of the activities described in their technical applications or revised technical applications/addenda, and will obligate funds for payment to the recipient of the award for costs incurred in such implementation. Notwithstanding the foregoing, the Agreement Officer may authorize the selected applicant(s), at its sole risk, to begin implementation and the incurrence of costs prior to a signed award as of a specified date, with no commitment to reimburse costs in the event that the award was not subsequently signed.

Unsuccessful applicants will be notified of their non-selection after the award(s) has been made. An unsuccessful applicant, upon its written request received by the Agreement Officer within 10 days after the date on which that unsuccessful applicant has received notification of non-selection, shall be debriefed and furnished the basis for the selection decision. To the maximum extent practicable, the debriefing will occur within 30 days after receipt of the written request. Unsuccessful applicants that fail to request a debriefing in a timely manner are not entitled to a debriefing, but such untimely debriefing requests may be accommodated at USAID's sole discretion. Debriefings may be done orally, in writing, or by any other method acceptable to the USAID Agreement Officer. At a minimum, the debriefing information shall include: (1) USAID's evaluation of the significant weaknesses or deficiencies in the applicant's application, if applicable; (2) the overall evaluated technical rating of the successful applicant(s) and the debriefed applicant, and past performance information on the debriefed applicant; (3) the overall ranking of all applicants; (4) a summary of the rationale for award; and (5) reasonable responses to relevant questions about whether selection procedures contained in this NFO, applicable regulations, and other applicable authorities were followed. The debriefing shall not include point-by-point comparisons of the debriefed applicant's application with those of other applicants. Moreover, the debriefing shall not reveal any information prohibited from disclosure by, or exempt from release under, the Freedom of Information Act including: (1) trade secrets; (2) privileged or confidential manufacturing processes and techniques; (3) commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information; and (4) the names of individuals providing reference information about an applicant's past performance. Only one debriefing will be provided to the applicant(s).

Award of the agreement contemplated by this NFO cannot be made until funds have been appropriated, allocated and committed through internal USAID procedures. While USAID anticipates that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for the award. The Agreement Officer is the only individual who may legally commit the Government to the expenditure of public funds. No costs

chargeable to the proposed Agreement may be incurred before receipt of either a fully executed Agreement or a specific, written authorization from the Agreement Officer.

## **F.2 ADMINISTRATIVE & NATIONAL POLICY REQUIREMENTS**

2 CFR 700, 2 CFR 200, and ADS 303maa, Standard Provisions for U.S. Non-governmental Organizations are applicable as well as ADS 303mab, Standard Provisions for Non-U.S. Non-governmental Organizations.

## **F.3 REPORTING REQUIREMENTS**

### Financial Reporting:

Financial reporting requirements will depend on the method of payment. Recipients will comply with the financial reporting requirements set forth in the USAID standard provisions for Non-U.S. Non-Governmental Organizations and U.S. Non-governmental Organizations. If advance payments are provided, reporting periods are calendar quarters or parts thereof. Quarterly financial reports are due not later than 30 days after the end of each calendar quarter. The final financial report is due not later than 90 days after the estimated completion date of the award. If payment is on a reimbursement basis, financial reports may be submitted monthly, but not less frequently than 30 days after the end of each calendar quarter. The final financial report is due not later than 90 days after the estimated completion date of the award. The Recipient shall also comply with the USAID standard provision entitled “Reporting Host Government Taxes.”

### Performance Reporting

The successful Applicant will use the standard form Performance Progress Report (SF-PPR) to report performance progress for the program under the award when the program exceeds \$100,000 or more per project/grant period.

The Recipient shall electronically submit all performance reports to the AOR in USAID/Washington. All country-level, regional-level and local-level activities implemented under the Leader Award shall be included in the annual report. Performance reports will consist of the following:

### Semi-Annual Progress Reports

The Recipient shall submit a performance report to the AOR of the Leader Award on a semi-annual basis due within 30 days following the end of each six-month period beginning on the start date of the award.

Semi-annual progress reports shall be concise and present the following information: 1) Executive Summary; 2) Program Activities and Highlights; 3) Key Accomplishments; 4) Challenges and Problems Encountered (including financial and administrative concerns); and 5) Future Directions and Upcoming Activities. In addition, qualitative descriptions of success

stories and achievements to illustrate impacts of the program must be included when possible. Updated PMP data should be included with submission of the quarterly progress reports.

The Recipient shall also submit an electronic copy of each progress report to the USAID Development Experience Clearinghouse.

### Final Report

The final performance report will replace the last semi-annual progress report. The final report shall include an executive summary of the Recipient's accomplishments overall and by country, regional, or local program in achieving results and impact; conclusions about lessons learned; future challenges and opportunities; an overall description of the Recipient's activities and attainment of results by country or region; an assessment of progress made toward accomplishing the development impact objectives and expected results; significance of these activities including their sustainability; and comments and recommendations. The final report shall incorporate the findings and results that were included in previous reports, and is due no later than 90 days after the completion, expiration, or termination of the award.

### Notifications

The Recipient will be required to immediately notify the AOR and the Agreement Officer of developments that have a significant impact on the award-supported activities. Also, notification shall be given in the case of problems, delays, or adverse conditions which materially impair the ability to meet the objectives of the award. This notification shall include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.

### Development Experience Clearinghouse Requirements

USAID recipients must submit one electronic copy of development experience documentation to the Development Experience Clearinghouse. Development experience documentation may be submitted online: <http://dec.usaid.gov>. Or by mail (for pouch delivery):

USAID Development Experience Clearinghouse  
M/CIO/ITSD/KM/DEC  
RRB M.01-010  
Washington, DC 20523-6100  
Phone: (202) 712-0579  
Email: [docsubmit@usaid.gov](mailto:docsubmit@usaid.gov)

In addition, the recipient must submit one electronic copy of development experience documentation to the AOR for the Leader award.

### Program Income

Any program income generated under the award(s) will be added to USAID funding (and any cost-sharing that may be provided) and used for program purposes. Program income will be

subject to the relevant USAID Standard Provisions for US Organizations and non-U.S. Non-Governmental Organizations.

### Branding & Marking:

It is a federal statutory and regulatory requirement that all USAID programs, projects, activities, public communications, and commodities that USAID partially or fully funds under a USAID grant or cooperative agreement or other assistance award or sub award, must be marked appropriately overseas with the USAID Identity. See Section 641, Foreign Assistance Act of 1961, as amended; 2 CFR 700.16.

Under the regulation, USAID requires the submission of a Branding Strategy and a Marking Plan as defined in the regulation. The Marking Plan may include a request for approval of one or more exceptions to marking requirements established in 2 CFR 700.16. The Agreement Officer is responsible for evaluating and approving the Branding Strategy and a Marking Plan (including any request for exceptions) of the apparently successful applicant, consistent with the provisions “Branding Strategy,” “Marking Plan,” and “Marking of USAID-funded Assistance Awards” contained in AAPD 05-11 and in 2 CFR 700.16. Please note that in contrast to “exceptions” to marking requirements, waivers based on circumstances in the host country must be approved by Mission Directors or other USAID Principal Officers.

The approved Branding Strategy and Marking Plan for the Leader Award may be referred to a USAID Mission or other USAID or Department of State operating unit when issuing associate awards as the preferred format and basis for the associate award’s Branding Strategy and Marking Plan.

### Environmental Compliance

Section 117 of the Foreign Assistance Act of 1961, as amended, requires that the impact of USAID’s activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying-out its development programs, as codified in 22 CFR 216 and in USAID’s Automated Directives System (ADS) 204, which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. The environmental compliance obligations of the Recipient of the award(s) resulting from this NFO under these regulations and procedures are specified in the following paragraphs.

In addition, the Recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern.

No activity funded under the award(s) resulting from this NFO may be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau

Environmental Officer (BEO). (Such documents are hereinafter described as “approved Regulation 216 environmental documentation.”)

As part of its annual work-plans, the Recipient, in collaboration with the AOR and BEO, shall review all ongoing and planned activities under the award to determine if they are within the scope of the approved Regulation 216 environmental documentation. If the Recipient plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments. Any activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received.

The Recipient will be required to use an Environmental Review Form (ERF) or Environmental Review (ER) checklist using impact assessment tools to screen sub-award and contract proposals to ensure the funded proposals will result in no adverse environmental impact, to develop mitigation measures, as necessary, and to specify monitoring and reporting. Use of the ERF or ER checklist is required when the nature of the proposals to be funded is not well enough known to make an informed decision about their potential environmental impacts; yet, due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of these activities cannot proceed until the ERF or ER checklist is completed and approved by USAID. The Recipient is responsible for ensuring that mitigation measures specified by the ERF or ER checklist process are implemented. The Recipient will also be responsible for periodic reporting to the AOR, as specified in the award.

The costs of environmental compliance will be reimbursable under the award(s) resulting from this NFO provided that they are otherwise in accordance with the terms and conditions of the award.

#### Performance Monitoring Plan (PMP)

The Recipient will develop a cost-effective, results-oriented performance monitoring plan that will provide USAID with information to monitor performance and effectiveness as well as to inform planning and management decisions. The Performance Monitoring Plan should also demonstrate a gender-sensitive approach, with the data collected being disaggregated by gender, historically disenfranchised groups, and other relevant groups identified, as appropriate.

The Recipient will be responsible for monitoring the program benchmarks, and final activity results. The Recipient will also be responsible for establishing a baseline which will be used for measuring program progress.

The PMP must include geographic data collection, geographic analysis, and data submission methods as a separate section. The PMP will be submitted at the same time as the first annual work-plan discussed in the previous paragraphs. The PMP and significant revisions thereto are subject to USAID approval.

**[END OF SECTION F]**

## SECTION G – AGENCY CONTACTS

The points of contact for this NFO and for any questions during the NFO process are:

**Mr. Mir Ershadullah**, Agreement Officer  
U.S. Agency for International Development/Washington  
SA-44, Room 518-D  
301 4<sup>th</sup> Street, SW  
Washington, DC 20024  
Email: [mershadullah@usaid.gov](mailto:mershadullah@usaid.gov)

**Miss Chelsea Poling**, Agreement Specialist  
U.S. Agency for International Development/Washington  
SA-44, Room 524-G  
301 4<sup>th</sup> Street, SW  
Washington, DC 20024  
Email: [cpoling@usaid.gov](mailto:cpoling@usaid.gov)

**[END OF SECTION G]**

## SECTION H– OTHER INFORMATION

### H.1 MARKING AND PUBLIC COMMUNICATIONS UNDER USAID-FUNDED ASSISTANCE (DECEMBER 2014)

a. The USAID Identity is the official marking for USAID, comprised of the USAID logo and brandmark with the tagline “from the American people”, unless amended by USAID to include additional or substitute use of a logo or seal and tagline representing a presidential initiative or other high level interagency initiative. The standard USAID logo must be used unless the award requires use of an additional or substitute logo. The USAID Identity (including any required presidential initiative or related identity) is available on the USAID Web site at [www.usaid.gov](http://www.usaid.gov). Recipients must use the USAID Identity, of a size and prominence equivalent to or greater than any other identity or logo displayed, to mark the following:

(1) Programs, projects, activities, public communications, and commodities partially or fully funded by USAID;

(2) Program, project, or activity sites funded by USAID, including visible infrastructure projects or other physical sites;

(3) Technical assistance, studies, reports, papers, publications, audio-visual productions, public service announcements, Web sites/Internet activities, promotional, informational, media, or communications products funded by USAID;

(4) Commodities, equipment, supplies, and other materials funded by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs; and

(5) Events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities. If the USAID Identity cannot be displayed, the recipient is encouraged to otherwise acknowledge USAID and the support of the American people.

b. The recipient must implement the requirements of this provision following the approved Marking Plan in the award.

c. The AO may require a preproduction review of program materials and “public communications” (documents and messages intended for external distribution, including but not limited to correspondence; publications; studies; reports; audio visual productions; applications; forms; press; and promotional materials) used in connection with USAID-funded programs, projects or activities, for compliance with an approved Marking Plan.

d. The recipient is encouraged to give public notice of the receipt of this award and announce progress and accomplishments. The recipient must provide copies of notices or announcements to the Agreement Officer’s Representative (AOR) and to USAID’s Office of Legislative and Public Affairs in advance of release, as practicable. Press releases or other public notices must include a statement substantially as follows:

"The U.S. Agency for International Development administers the U.S. foreign assistance program providing economic and humanitarian assistance in more than 80 countries worldwide."

e. Any “public communication” in which the content has not been approved by USAID must contain the following disclaimer:

“This study/report/audio/visual/other information/media product (specify) is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of [insert recipient name] and do not necessarily reflect the views of USAID or the United States Government.”

f. The recipient must provide the USAID AOR, with two copies of all program and communications materials produced under this award.

g. The recipient may request an exception from USAID marking requirements when USAID marking requirements would:

(1) Compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials;

(2) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent;

(3) Undercut host-country government “ownership” of constitutions, laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications;

(4) Impair the functionality of an item;

(5) Incur substantial costs or be impractical;

(6) Offend local cultural or social norms, or be considered inappropriate; or

(7) Conflict with international law.

h. The recipient may submit a waiver request of the marking requirements of this provision or the Marking Plan, through the AOR, when USAID-required marking would pose compelling political, safety, or security concerns, or have an adverse impact in the cooperating country.

(1) Approved waivers “flow down” to subawards and contracts unless specified otherwise. The waiver may also include the removal of USAID markings already affixed, if circumstances warrant.

(2) USAID determinations regarding waiver requests are subject to appeal by the recipient, by submitting a written request to reconsider the determination to the cognizant Assistant Administrator.

i. The recipient must include the following marking provision in any subagreements entered into under this award:

“As a condition of receipt of this subaward, marking with the USAID Identity of a size and prominence equivalent to or greater than the recipient’s, subrecipient’s, other donor’s, or third party’s is required. In the event the recipient chooses not to require marking with its own identity or logo by the subrecipient, USAID may, at its discretion, require marking by the subrecipient with the USAID Identity.”

## **H.2 LIMITING CONSTRUCTION ACTIVITIES (AUGUST 2013)**

a) Construction is not eligible for reimbursement under this award unless specifically identified in paragraph d) below.

b) Construction means - construction, alteration, or repair (including dredging and excavation) of buildings, structures, or other real property and includes, without limitation, improvements, renovation, alteration and refurbishment. The term includes, without limitation, roads, power plants, buildings, bridges, water treatment facilities, and vertical structures.

c) Agreement Officers will not approve any subawards or procurements by recipients for construction activities that are not listed in paragraph d) below. USAID will reimburse allowable costs for only the construction activities listed in this provision not to exceed the amount specified in the construction line item of the award budget. The recipient must receive prior written approval from the AO to transfer funds allotted for construction activities to other cost categories, or vice versa.

d) Description

Construction is not eligible for reimbursement under this award.

e) The recipient must include this provision in all subawards and procurements and make vendors providing services under this award and subrecipients aware of the restrictions of this provision.

### **H.3 CENTRAL CONTRACTOR REGISTRATION AND UNIVERSAL IDENTIFIER (DECEMBER 2014)**

a. Requirement for Central Contractor Registration (CCR). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently, if required by changes in your information or another award term.

b. Requirement for Data Universal Numbering System (DUNS) numbers. If you are authorized to make subawards under this award, you:

(1) Must notify potential subrecipients that no entity (see definition in paragraph c. of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.

(2) May not make a subaward to an entity unless the entity has provided its DUNS number to you.

c. Definitions. For purposes of this award term:

(1) Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at [www.ccr.gov/](http://www.ccr.gov/)).

(2) Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at [fedgov.dnb.com/webform](http://fedgov.dnb.com/webform)).

(3) Entity, as it is used in this award term, means all of the following, as defined at 2 CFR 25, subpart C:

- (i) A governmental organization, which is a State, local government, or Indian tribe;
- (ii) A foreign public entity;
- (iii) A domestic or foreign nonprofit organization;
- (iv) A domestic or foreign for-profit organization; and
- (v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

(4) Subaward:

- (i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you, as the recipient, award to an eligible subrecipient.
- (ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200 subpart F Audit Requirements).
- (iii) A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

(5) Subrecipient means an entity that:

- (i) Receives a subaward from you under this award; and
- (ii) Is accountable to you for the use of the Federal funds provided by the subaward.

#### **ADDENDUM (JUNE 2012):**

d. Exceptions. The requirements of this provision to obtain a Data Universal Numbering System (DUNS) number and maintain a current registration in the Central Contractor Registration (CCR) do not apply, at the prime award or subaward level, to:

- (1) Awards to individuals
- (2) Awards less than \$25,000 to foreign recipients to be performed outside the United States (based on a USAID determination)
- (3) Awards where the Agreement Officer determines, in writing, that these requirements would cause personal safety concerns.

e. This provision does not need to be included in subawards.

#### **H.4 REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (DECEMBER 2014)**

a. Reporting of First-Tier Subawards

(1) Applicability. Unless you are exempt as provided in paragraph d. of this award term you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub.L. 111-5) for a subaward to an entity.

(2) Where and when to report.

- (i) You must report each obligating action described in paragraph a.(1) of this

award term to [www.fsrs.gov](http://www.fsrs.gov).

(ii) For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

(3) What to report. You must report the information about each obligating action that the submission instructions posted at [www.fsrs.gov](http://www.fsrs.gov) specify.

**b. Reporting Total Compensation of Recipient Executives.**

(1) Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if –

(i) The total Federal funding authorized to date under this award is \$25,000 or more;

(ii) In the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at [www.sec.gov/answers/excomp.htm](http://www.sec.gov/answers/excomp.htm).)

(2) Where and when to report. You must report executive total compensation described in paragraph b.(1) of this award term:

(i) As part of your registration profile at [www.ccr.gov/](http://www.ccr.gov/).

(ii) By the end of the month following the month in which this award is made, and annually thereafter.

**c. Reporting of Total Compensation of Subrecipient Executives.**

(1) Applicability and what to report. Unless you are exempt, as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you must report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if –

(i) In the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and

Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and  
(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

(ii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at [www.sec.gov/answers/execomp.htm](http://www.sec.gov/answers/execomp.htm).)

(2) Where and when to report. You must report subrecipient executive total compensation described in paragraph c.(1) of this award term:

- (i) To the recipient.
- (ii) By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (for example, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions.

If in the previous tax year you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- (1) Subawards, and
- (2) The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions.

For purposes of this award term:

- (1) Entity means all of the following, as defined in 2 CFR 25:
  - (i) A governmental organization, which is a State, local government, or Indian tribe;
  - (ii) A foreign public entity;
  - (iii) A domestic or foreign nonprofit organization;
  - (iv) A domestic or foreign for-profit organization;
  - (v) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

(2) Executive means officers, managing partners, or any other employees in management positions.

(3) Subaward:

- (i) This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for

which you received this award and that you as the recipient award to an eligible subrecipient.

(ii) The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200 subpart F Audit Requirements).

(ii) A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

(4) Subrecipient means an entity that:

(i) Receives a subaward from you (the recipient) under this award; and

(ii) Is accountable to you for the use of the Federal funds provided by the subaward.

(5) Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

(i) Salary and bonus.

(ii) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

(iii) Earnings for services under nonequity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

(iv) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

(v) Above-market earnings on deferred compensation which is not tax-qualified.

(vi) Other compensation, if the aggregate value of all such other compensation (for example, severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

**[END OF SECTION H]**

**[END OF NOTICE OF FUNDING OPPORTUNITY NO. SOL-OAA-15-000145]**